CONFERENCE OF THE EIGHTEEN-NATION COMMITTEE ON DISARMAMENT

ENDC/PV.419
15 July 1969
ENGLISH

FINAL VERBATIM RECORD OF THE FOUR HUNDRED AND NINETEENTH MEETING

held at the Palais des Nations, Geneva,
on Tuesday, 15 July 1969, at 10.30 a.m.

Chairman: Mr. J. CASTANEDA (Mexico)

GE.69-16214
69-35429

PRESENT AT THE TABLE

Brazil:	Mr. S.A. FRAZAO
	Mr. C.A. de SOUZA e SILVA
	Mr. L.F. PALMEIRA LAMPREIA
Bulgaria:	Mr. K. CHRISTOV
	Mr. M. KARASSIMEONOV
	Mr. I. PEINIRDJIEV
Burma:	U KYAW MIN
Canada:	Mr. G. IGNATIEFF
	Mr. R.W. CLARK
	Mr. J.R. MORDEN
Czechoslovakia:	Mr. T. LAHODA
	Mr. J. STRUCKA
	Mr. J. CINGROS
Ethiopia:	Mr. A. ZELLEKE
India:	Mr. M.A. HUSAIN
	Mr. K.P. JAIN
Italy:	Mr. R. CARACCIOLO
	Mr. F. LUCIOLI OTTIERI
	Mr. R. BORSARELLI
	Mr. U. PESTALOZZA
Japan:	Mr. K. ASAKAI
	Mr. Y. NAKAYAMA
	Mr. T. SENGOKU
	Mr. J. SAKAMOTO
Mexico:	Mr. J. CASTANEDA
	Miss E. AGUIRRE
	Mr. H. CARDENAS RODRIGUEZ
	Mr. R. VALERO

Mongolia:	Mr. M. DUGERSUREN
	Mr. J. BANZAR
	Mr. S. ADIKHOU
Nigeria:	Mr. C.O. HOLLIST
	Mr. L.A. MALIKI
Poland:	Mr. H. JAROSZEK
	Mr. A. CZARKOWSKI
	Mr. A. SKOWRONSKI
	Mr. H. STEPOSZ
Romania:	Mr. N. ECOBESCO
	Mr. O. IONESCO
	Mr. C. GEORGESCO
	Mr. A. SASU
Sweden:	Mr. A. EDELSTAM
	Mr. R. BOMAN
	Mr. J. LUNDIN
Union of Soviet Socialist Republics:	Mr. A.A. ROSHCHIN
	Mr. R.M. TIMERBAEV
	Mr. V.V. SHOUSTOV
	Mr. V.B. TOULINOV
United Arab Republic:	Mr. H. KHALLAF
	Mr. O. SIRRY
	Mr. E.S. El REEDY
United Kingdom:	Mr. I.F. PORTER
	Mr. W.N. HILLIER-FRY
	Mr. R.I.T. CROMARTIE

United States of America:	Mr. J.F. LEONARD
	Mr. A.F. NEIDLE
	Mr. W. GIVAN
	Mr. R. McCORMACK
Special Representative of the Secretary-General:	Mr. D. PROTITCH
Deputy Special Representative of the Secretary-General:	Mr. W. EPSTEIN

1. The CHAIRMAN (Mexico)(translation from Spanish): I declare open the 419th plenary meeting of the Conference of the Eighteen-Nation Committee on Disarmament.

2. There are no speakers on my list for this morning. If no representative wishes to speak, I will read out a communication from the co-Chairmen:

(spoke in English)

"The delegation of the United Kingdom has requested that an informal meeting of the Eighteen-Nation Committee on Disarmament be convened on Wednesday, 30 July 1969, to discuss the question of the prohibition of chemical and bacteriological (biological) weapons. If agreeable to the other members of the Committee, this meeting will be held at 10.30 a.m. on 30 July".

(continued in Spanish)

3. If no representative has any comment or observation to make on the subject, I will consider the co-Chairmen's communication approved.

It was so decided.

The Conference decided to issue the following communiqué:

"The Conference of the Eighteen-Nation Committee on Disarmament today held its 419th plenary meeting in the Palais des Nations, Geneva, under the chairmanship of H.E. Ambassador Jorge Castañeda, representative of Mexico.

"A statement was made by the Chairman.

"The next meeting of the Conference will be held on Thursday, 17 July 1969, at 10.30 a.m."

The meeting rose at 10.40 a.m.

CONFERENCE OF THE EIGHTEEN-NATION COMMITTEE ON DISARMAMENT

ENDC/PV.420
17 July 1969
ENGLISH

FINAL VERBATIM RECORD OF THE FOUR HUNDRED AND TWENTIETH MEETING

held at the Palais des Nations, Geneva,
on Thursday, 17 July 1969, at 10.30 a.m.

Chairman: Mr. M. DUGERSUREN (Mongolia)

GE.69-16234

PRESENT AT THE TABLE

Brazil:	Mr. S.A. FRAZAO
	Mr. C.A. de SOUZA e SILVA
	Mr. L.F. PALMEIRA LAMPREIA
Bulgaria:	Mr. K. CHRISTOV
	Mr. M. KARASSIMEONOV
Burma:	U KYAW MIN
Canada:	Mr. G. IGNATIEFF
	Mr. R.W. CLARK
	Mr. J.R. MORDEN
Czechoslovakia:	Mr. T. LAHODA
	Mr. J. STRUCKA
	Mr. J. CINGROS
Ethiopia:	Mr. A. ZELLEKE
India:	Mr. M.A. HUSAIN
	Mr. K.P. JAIN
Italy:	Mr. R. CARACCIOLO
	Mr. F. LUCIOLI OTTIERI
	Mr. R. BORSARELLI
	Mr. U. PESTALOZZA
Japan:	Mr. K. ASAKAI
	Mr. Y. NAKAYAMA
	Mr. T. SENGOKU
	Mr. J. SAKAMOTO
Mexico:	Mr. J. CASTANEDA
	Miss E. AGUIRRE
	Mr. H. CARDENAS RODRIGUEZ
	Mr. R. VALERO

DEPOSITORY

Mongolia:	Mr. M. DUGERSUREN
	Mr. J. BANZAR
	Mr. S. ADIKHOU
Nigeria:	Mr. C.O. HOLLIST
	Mr. L.A. MALIKI
Poland:	Mr. A. CZARKOWSKI
	Mr. A. SKOWRONSKI
	Mr. M. STEPOSZ
	Mr. R. WLAZLO
Romania:	Mr. N. ECOBESCO
	Mr. O. IONESCO
	Mr. C. GEORGESCO
	Mr. A. SASU
Sweden:	Mr. A. EDELSTAM
	Mr. S. ERICSON
	Mr. R. ROMAN
	Mr. J. LUNDIN
Union of Soviet Socialist Republics:	Mr. A.A. ROSHCHIN
	Mr. R.M. TIMERBAEV
	Mr. V.V. SHOUSTOV
	Mr. V.B. TOULINOV
United Arab Republic:	Mr. H. KHALLAF
	Mr. O. SIRRY
	Mr. E.S. El REDDY
United Kingdom:	Mr. I.F. PORTER
	Mr. W.N. HILLIER-FRY
	Mr. R.I.T. CROMARTIE

United States of America:	Mr. J.F. LEONARD
	Mr. A.F. NEIDLE
	Mr. W. GIVAN
	Mr. R. McCORMACK
Special Representative of the Secretary-General:	Mr. D. PROTITCH
Deputy Special Representative of the Secretary-General:	Mr. W. EPSTEIN

1. The CHAIRMAN (Mongolia): I declare open the 420th plenary meeting of the Conference of the Eighteen-Nation Committee on Disarmament.

2. Before calling on the representative of Japan, I would ask for the indulgence of the Committee to permit me to say a few words. I have the very pleasant duty to congratulate our two co-Chairmen sincerely on the new and important endeavours which their respective countries are undertaking in these days in the field of the peaceful exploration of the moon and its vicinity. Both the Apollo 11 and the Luna 15 missions have their own specific and challenging tasks. I hope that I shall be expressing the sentiments of the Committee if I wish those two great countries every success in their endeavours. I especially wish the three brave astronauts who are now heading for the moon good luck and great success in carrying out their very important mission of historic magnitude.

3. Mr. ASAKAI (Japan): Before going into the substance of my statement today, I should like to associate myself with the Chairman in expressing my heartfelt congratulations on the successful launching of Apollo 11. The Government and people of Japan send their best wishes to the three envoys of mankind aboard Apollo 11 for their safe return after the successful completion of their historic mission.

4. Today I should like to address myself specifically to the question of the prevention of an arms race on the sea-bed.

5. First of all, let me express the deep appreciation of my delegation to the representatives of the Soviet Union and the United States for having submitted to this Committee their respective drafts of a treaty dealing with the subject (ENDC/240, 249). The Japanese delegation has carefully studied those two draft texts, and also the views expressed by the other members of this Committee. I should now like to present to the Committee the preliminary views of our Government on this question.

6. Japan, being a maritime nation surrounded by the sea, has a vital interest in the prevention of an arms race on the sea-bed and the ocean floor. The wisdom of mankind has led us to prevent an arms race in Antarctica and on the moon and other celestial bodies. Unfortunately, however, we have not been able to check an arms race on land. We have not been able to halt the spread of an arms race in the ocean and in the atmosphere. That leaves us with only the sea-bed and the ocean floor.

(Mr. Asakai, Japan)

Those are, indeed, the last frontiers on our planet. Yet, in the meantime, technological developments are making the sea-bed and the ocean floor covering vast areas on earth both accessible and suitable for military purposes. In the circumstances it is incumbent on each and all of us here to do whatever we can to prevent the imminent spreading of the arms race to the sea-bed.

7. May I now be permitted once again to draw the attention of all members of this Committee to what I emphasized in my previous intervention: the earnest wish of the people of Japan for the complete elimination of nuclear weapons from the earth (ENDC/PV.416, paras. 55, 57). It is our appeal to members of this Committee that we should try our utmost to explore every opportunity to diminish and to eliminate the terrors of nuclear weapons. We have such an opportunity now, right under our feet -- on the sea-bed and the ocean floor. All that leads us to our primary consideration of what we ought to do now: stop the spread of the nuclear arms race to the sea-bed and the ocean floor, whether it be under the high seas or under the territorial seas.

8. Having said that, I should like now to proceed to explain our views -- as some other delegations have explained theirs in previous meetings -- on three focal points involved in this question, namely the scope of military activities to be prohibited, the geographical area to be covered by the treaty, and the problem of verification.

9. I shall start with the first point, the scope of military activities to be prohibited.

10. With the conclusion of the non-proliferation Treaty (ENDC/226*) it would be only the nuclear-weapon States which could start a nuclear arms race on the sea-bed. If, indeed, the purpose of the non-proliferation Treaty is to reduce the danger of nuclear war, should not the nuclear States themselves now make every effort not to extend the nuclear arms race to the sea-bed and the ocean floor?

11. We have noted that several delegations have characterized the measures to prohibit the nuclear arms race on the sea-bed and the ocean floor as "preventive measures". We are all aware how difficult it is to check the arms race once it gets started. Indeed, the successful conclusion of the Antarctic Treaty[1] and

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1/ United Nations Treaty Series, Vol. 402, p. 71

(Mr. Asakai, Japan)

of the outer-space Treaty (General Assembly resolution 2222 (XXI) (Annex)) was due to a large extent to the preventive nature of the provisions in those Treaties, which were introduced before the arms race in those areas actually started. It is for that reason that we are convinced that measures should be taken immediately to prohibit nuclear and other weapons of mass destruction on the sea-bed and the ocean floor before it is too late. We believe that such measures, if taken now, would not affect the balance of power in the deterrents of the super-Powers. Moreover, such a course of action would be in line with article VI of the non-proliferation Treaty, which states:

"Each of the Parties to the Treaty undertakes to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date ...". (ENDC/226*, p. 6)

12. Naturally our ultimate aim must be general and complete disarmament. As I stated on a previous occasion, Japan subscribes to the idea that the use of the sea-bed and the ocean floor and the subsoil thereof for military purposes should be prohibited in principle (ENDC/PV.416, para. 77). However, there is at present a wide divergence of views among the members of this Committee with regard to what should be prohibited and what should not, and that with good reason. Given the time and the perseverance of all of us here we may, as we should, be able to come to an equitable agreement. On no account, however, should we let this difficulty in reconciling such a divergence of views stand in the way of our taking immediate measures to prevent the spread of an arms race by placing nuclear weapons and other weapons of mass destruction on the sea-bed and the ocean floor.

13. I should like now to proceed to the next point, the geographical area to be covered by the treaty. We share the views expressed by many delegations in favour of two principles in this regard. The first is that the treaty should cover as large an area of the sea-bed and the ocean floor as possible. The second is that the question of the geographical area to be covered by the treaty should be separated from the question of the limits of the territorial sea and the national jurisdiction of coastal States.

(Mr. Asakai, Japan)

14. If we are to base ourselves on those two principles, would it not be logical to conclude that the treaty should cover the entire area of the sea-bed and the ocean floor under the high seas and the territorial sea? That is indeed in consonance with the earnest wish of the Japanese people to prevent the spread of the nuclear arms race at the "beach-head" and, for ourselves and for our descendants, to keep the last frontier on earth completely free from nuclear and other weapons of mass destruction. How could we combat effectively and meaningfully the proliferation, both vertical and horizontal, of nuclear weapons without meanwhile placing a complete cordon around the sea to prevent the introduction of nuclear weapons? Indeed, we may be able, through our constant efforts and by various devices, to make some progress on land in checking the terrors of nuclear weapons. Such progress, however, would be more than offset by the utilization of the sea-bed for the purpose of deploying nuclear and other weapons of mass destruction.

15. Moreover, to make the treaty applicable to such an area of the sea-bed and ocean floor would have the merit of simplicity. There would be no need to deal with the question of the width of the territorial sea or any other claims for national jurisdiction. There would be no problem of a status gap between the twelve-mile zone in the Soviet draft treaty and the three-mile zone in the United States draft treaty. In that way we would not have to cope with the difficult problem relating to the continental shelf and the rights to be exercised there by a coastal State. Again, as this formula sets no fixed distance, there would arise no problem such as that pointed out, quite rightly I think, by the representative of Nigeria: namely, the case where the coasts of two States are opposite or adjacent to each other and the distance between the coastal lines of the two States is less than twice the limit to be fixed by the treaty (ENDC/PV.411, para. 18).

16. Finally, I wish to turn to our last important question, that of verification of compliance by States. Under the existing rules of international law a State is free to observe or to have access to any object under the high seas, particularly when its identity is not known, whether or not emplacement of nuclear and other weapons of mass destruction is prohibited on the sea-bed under the high seas. Of course we are aware of the tremendous technical difficulties involved in the verification to be carried out under water, and of the danger of the operation on

(Mr. Asakai, Japan)

the sea-bed. In that connexion we are keenly interested in the mode of verification based on observation and consultation as prescribed in the United States draft treaty. We also consider that the suggestions made by several delegations regarding the question of co-operation for international verification deserve careful study. The representative of India, for instance, said on 17 April:

> "The issue of verification for a sea-bed treaty would have to be dealt with in the light of the principle of international means of verification, so that all parties could feel assured that the prohibitions of the treaty were being complied with." (ENDC/PV.404, para. 70)

17. Furthermore, we have noted with particular interest the statement made by the representative of Brazil on 21 May. Referring to a system of verification in the area under national jurisdiction, he said:

> "The principle of freedom of access for all States parties should be preserved, ...but the State having jurisdiction for the exploitation of resources over the area where the installation is placed should be consulted before the verification is carried out and should participate in the process of verification. I do not mean that its consent should necessarily be required, because if that were the case the principle of freedom of access could be rendered nugatory." (ENDC/PV.413, para. 20)

18. The inclusion of the territorial sea in the area to be covered by the treaty leads to the difficult question of verification in the territorial sea. We fully realize that extension of verification measures to the sea-bed under the territorial sea would involve manifold complicated problems. One may argue, for example, that territorial waters are, like the territory itself, under the sovereign right of the coastal State and therefore should never be subject to verification by another State or by an international body. In this connexion let me remind the Committee that under the non-proliferation Treaty strict measures of inspection of the peaceful nuclear activities in the territory of a non-nuclear-weapon State are to be carried out. We believe that it is of the utmost importance to agree upon the principle that the area of prohibition should be extended to the sea-bed under the territorial sea, even if the specific measures for verification have to be left for further study.

(Mr. Asakai, Japan)

19. Thus, if we are to agree first of all on the principle of prohibiting the emplacement of nuclear and other weapons of mass destruction on the widest possible area of the sea-bed and ocean floor, including that under the territorial sea, my delegation will be happy to co-operate with other delegations in the further elaboration of the mode of verification to be provided for in the treaty.

20. As I made clear at the outset that I would, I have today presented the preliminary views of my delegation on the question of the prevention of an arms race on the sea-bed, which is becoming more urgent almost day by day. May I repeat that it is high time for us to prevent the extension of a nuclear arms race to the sea-bed and ocean floor? By so doing we shall be contributing greatly to the easing of international tension and to the strengthening of confidence among States. Failure, indeed even delay, in the work of our Committee on this question would mean an irrevocable loss to mankind of this last frontier.

The Conference decided to issue the following communiqué:

"The Conference of the Eighteen-Nation Committee on Disarmament today held its 420th plenary meeting in the Palais des Nations, Geneva, under the chairmanship of H.E. Ambassador Mangalyn Dugersuren, representative of the Mongolian People's Republic.

"Statements were made by the Chairman and by the representative of Japan.

"The next meeting of the Conference will be held on Tuesday, 22 July 1969, at 10.30 a.m."

The meeting rose at 10.55 a.m.

CONFERENCE OF THE EIGHTEEN-NATION COMMITTEE ON DISARMAMENT

ENDC/PV.421
22 July 1969
ENGLISH

FINAL VERBATIM RECORD OF THE FOUR HUNDRED AND TWENTY-FIRST MEETING

held at the Palais des Nations, Geneva,
on Tuesday, 22 July 1969, at 10.30 a.m.

Chairman: Alhaji SULE KOLO (Nigeria)

GE.69-16278

69-35462

PRESENT AT THE TABLE

Brazil:	Mr. S.A. FRAZAO
	Mr. P. CABRAL de MELLO
	Mr. L.F. PALMEIRA LAMPREIA
Bulgaria:	Mr. K. CHRISTOV
	Mr. M. KARASSIMEONOV
	Mr. I. PEINIRDJIEV
Burma:	U CHIT MYAING
	U KYAW MIN
Canada:	Mr. G. IGNATIEFF
	Mr. R.W. CLARK
	Mr. J.R. MORDEN
Czechoslovakia:	Mr. T. LAHODA
	Mr. J. STRUCKA
	Mr. J. CINGROS
Ethiopia:	Mr. A. ZELLEKE
India:	Mr. M.A. HUSAIN
	Mr. K.P. JAIN
Italy:	Mr. R. CARACCIOLO
	Mr. F. LUCIOLI OTTIERI
	Mr. R. BORSARELLI
	Mr. U. PESTALOZZA
Japan:	Mr. K. ISAKA
	Mr. Y. NAKAYAMA
	Mr. T. SENGOKU
	Mr. J. SAKAMOTO
Mexico:	Mr. J. CASTANEDA
	Miss E. AGUIRRE
	Mr. R. VALERO

[redacted]

Mongolia:	Mr. M. DUGERSUREN
	Mr. J. BANZAR
	Mr. Z. ERENDOO
Nigeria:	Alhaji SULE KOLO
	Mr. C.O. HOLLIST
	Mr. L.A. MALIKI
Poland:	Mr. A. CZARKOWSKI
	Mr. A. SKOWRONSKI
	Mr. H. STEPOSZ
	Mr. R. WLAZLO
Romania:	Mr. N. ECOBESCO
	Mr. O. IONESCO
	Mr. C. GEORGESCO
	Mr. A. SASU
Sweden:	Mrs. A. MYRDAL
	Mr. A. EDELSTAM
	Mr. S. ERICSON
	Mr. R. BOMAN
Union of Soviet Socialist Republics:	Mr. A.A. ROSHCHIN
	Mr. R.M. TIMERBAEV
	Mr. V.V. SHOUSTOV
	Mr. V.B. TOULINOV
United Arab Republic:	Mr. H. KHALLAF
	Mr. O. SIRRY
	Mr. E.S. El REEDY
United Kingdom:	Mr. I.F. PORTER
	Mr. W.N. HILLIER-FRY
	Mr. R.I.T. CROMARTIE

United States of America:	Mr. J.F. LEONARD
	Mr. A.F. NEIDLE
	Mr. W. GIVAN
	Mr. R. McCORMACK
Special Representative of the Secretary-General:	Mr. D. PROTITCH
Deputy Special Representative of the Secretary-General:	Mr. W. EPSTEIN

1. The CHAIRMAN (Nigeria): I declare open the 421st plenary meeting of the Conference of the Eighteen-Nation Committee on Disarmament.

2. I am sure the Committee would wish that, before calling upon the first speaker, I should on behalf of all of us here, convey our congratulations to the Government of the United States of America on its epoch-making achievement of sending man to the moon. It is indeed a tribute to human intelligence and technology; and we hope that these instruments of advancement will be directed more and more towards the benefit of humanity as a whole. May I ask the representative of the United States of America to convey the congratulations of this Committee to the United States Government?

3. Mr. LEONARD (United States of America): At the last meeting of this Committee the Chairman of the day very graciously expressed the hope of all that this great enterprise of the flight to the moon would be successful; and today again, as those brave men are on their way back to what we hope will be a safe landing on earth, you, Mr. Chairman, have also made most generous and moving remarks on this topic. Many members of the Committee have in recent days also spoken in the same spirit on informal occasions to me and to many other members of the United States delegation; and on behalf of the United States Government and the American people I should like to express the deep appreciation which we all feel for those very friendly and thoughtful gestures.

4. As one of the many Americans who have lost a good deal of sleep very cheerfully in the last few days, I am naturally very touched that this is a feat of American science and technology which is being acclaimed throughout the world. At the same time I feel that this exploit is above all an achievement of the whole human race, one which transcends national rivalries just as it transcends the science and technology which made it possible. The spirit of generosity and fellowship with which the news has been received around the world is, I believe, a testimony to that; and it seems to me one of the most heartening aspects of this whole tremendously inspiring accomplishment. A shared human experience of this noble character is something for which we can all be profoundly grateful.

5. May I thank you, Mr. Chairman, for the very kind thoughts which you have expressed and which I shall gladly transmit to my Government.

6. Mr. CZARKOWSKI (Poland): I should like to join you, Mr. Chairman, in extending also our congratulations to the United States delegation on the successful landing of the Apollo 11 mission on the moon. This is indeed an achievement of historic

(Mr. Czarkowski, Poland)

dimensions, like that of sending the first artificial satellite into outer space and the first man, Yuri Gagarin, into orbit around our globe. We extend our wishes for a safe return to all three of the brave cosmonauts.

7. The Eighteen-Nation Committee on Disarmament has resumed its work with the participation of two new members -- the People's Republic of Mongolia and Japan. I should like, on behalf of the Polish delegation, to take this opportunity to welcome the representatives of those two States and to express our deep conviction that they will make a valuable contribution to the solution of the tasks facing our Committee.

8. Having fulfilled my pleasant duty, I should like to refer to some of those tasks in greater detail. The top priority among them goes, of course, to measures designed to halt the nuclear arms race and to reduce and eliminate the existing nuclear arsenals. Undeniable progress has already been made in this respect, progress which is borne out by the 1963 Moscow partial test-ban Treaty (ENDC/100/Rev.1), the 1967 Convention concerning the peaceful utilization of outer space (General Assembly resolution 2222 (XXI), Annex), and, last but not least, the 1968 Treaty on the non-proliferation of nuclear weapons (ENDC/226*).

9. The current international situation and the present state of the nuclear arms race make it imperative, however, to make urgent efforts to bring into force the most recent of these agreements -- the non-proliferation Treaty. The very significance of the Treaty argues for its early implementation. While ending all possibilities of proliferation of nuclear weapons, the Treaty provides further prospects for nuclear disarmament and for the development of fruitful international co-operation in the field of peaceful utilization of nuclear energy. Viewing the Treaty in this light, the Polish Government was among the first to sign it. After the due legislative process my country ratified the Treaty earlier this year, on 3 May.

10. For the Treaty to enter into force effectively it is necessary that it be adhered to or ratified by the largest possible number of States, particularly those known for their advanced technological potential in the field of nuclear energy. Needless to say, the absence of signatures of such States, or prolonged delay in the ratification of the Treaty, cannot but seriously disturb the rhythm of disarmament negotiations, generate a political climate far from favourable to disarmament efforts and, in the last instance, be exploited to undermine the confidence in our Committee which, as we all know very well, was instrumental in arriving at the agreed text of the Treaty.

(Mr. Czarkowski, Poland)

11. In this connexion the Polish delegation would like to draw the Committee's attention to the position adopted by the Government of the German Federal Republic, which continues to withhold its signature from the Treaty and justifies its attitude with time-worn arguments or ever new circumstances. Evidently such an attitude cannot create a climate favourable either to general and complete disarmement or to regional disarmament in Europe, or to the establishment of security in this area, a problem in which my country is vitally interested.

12. May I be permitted now to refer to the question of chemical and bacteriological (biological) weapons and to present the views of my delegation concerning the report of the Secretary-General of 1 July (A/7575).

13. I should like to reiterate to the Secretary-General, to his collaborators and to the fourteen consultant experts the appreciation of the Polish delegation for the preparation of this highly informative and comprehensive report. Poland, like many other States, attaches great importance to measures designed to ensure strict and universal observance of the Geneva Protocol of 1925 (ibid., p.117) and to putting an end to the arms race in the field of chemical and bacteriological (biological) weapons. A year ago almost to the day, on 30 July 1968, the Polish delegation proposed to the Eighteen-Nation Committee on Disarmament that the Secretary-General be requested to prepare, with the assistance of consultant experts, a report on chemical and bacteriological (biological) weapons and the effects of their possible use (ENDC/PV.385*, para.70). This proposal was endorsed by the Committee and included in its report to the General Assembly (ENDC/236, page 4).

14. Acting on the recommendation of the Committee, the General Assembly at its last session adopted resolution 2454 A (XXIII) (ENDC/237), which was jointly sponsored by Canada, Poland and a number of other members and which called on the Secretary-General to prepare such a report with the assistance of qualified consultant experts. On the basis of this resolution the consultant experts, among them a Polish expert, prepared a unanimous report in accordance with their mandate and the agreed terms of reference, a report which the Secretary-General found it possible to endorse in its entirety.

15. The key factor by which my delegation was guided in its initiative concerning chemical and bacteriological (biological) weapons is the earnest desire of the Polish diplomacy -- a desire that stems from the basic premises of Poland's foreign policy and

(Mr. Czarkowski, Poland)

her historic experiences -- to put an end to war, to put an end to the use in war of barbarous weapons and methods of warfare, to achieve general and complete disarmament. May I add at this juncture that the tragic experiences of my nation during the Second World War are still alive in the minds of the Polish people, and justifiably so. As a result of Nazi genocide -- when the invader had no hesitation in resorting to the use of poisonous chemical agents to exterminate inmates of the death camps -- millions of Poles perished.

16. The Polish delegation is convinced that the report on chemical and bacteriological (biological) weapons and the effects of their possible use -- just like the earlier report on the possible effects of the use of nuclear weapons (A/6858) -- will not only alert world public opinion to the dangers inherent in these weapons and their possible use but will also provide, in the words of resolution 2454 A (XXIII)

> "... a valuable contribution to the consideration by the Conference of the Eighteen-Nation Committee on Disarmament of the problems connected with chemical and bacteriological weapons".

We welcome the report and the Secretary-General's Foreward to it as a valuable contribution to the work of this Committee. While discussing the effects of the possible use of chemical and bacteriological (biological) weapons, the report at the same time confirms the urgent necessity of ensuring that the Geneva Protocol of 1925 is universally observed. Moreover, the report also argues eloquently for the total elimination of those weapons of mass destruction.

17. The Polish delegation finds that the report and its conclusions coincide on many points with the views which originally motivated it in first submitting the proposal for the preparation of such a report. First, the report emphasizes the importance of the Geneva Protocol; second, it classifies jointly chemical and bacteriological (biological) weapons as weapons of mass destruction exercising their effects not only on military targets and personnel but also and to an even greater extent on civilians; third, the report makes clear the harmful effects on man of incapacitating gases, which it terms non-humanitarian methods of warfare; fourth, it stresses that once any chemical or bacteriological (biological) weapons had been used in warfare there would be a serious risk of escalation of the conflict into a nuclear one; and fifth, the report makes it plain that prospects for peace throughout the world -

(Mr. Czarkowski, Poland)

"... would brighten significantly if the development, production and stockpiling of chemical and bacteriological (biological) agents intended for purposes of war were to end and if they were eliminated from all military arsenals."
(A/7575, para. 376)

18. In the light of such an assessment of the report of the Secretary-General my delegation wishes to submit a working paper (ENDC/256) which seeks to underline the significance of the report for the strengthening of the effectiveness of the Geneva Protocol of 1925 and for the further consideration of ways and means of reducing and eliminating those weapons by the prohibition of their development, production and stockpiling.

19. We recognize with satisfaction the existence at this table of a consensus on the necessity of undertaking further steps in the field of chemical and bacteriological (biological) weapons. For this reason the Polish delegation wishes to suggest that the Eighteen-Nation Committee on Disarmament should lay particular emphasis in its report to the General Assembly on the significance of the report on chemical and bacteriological (biological) weapons as a suitable basis for the further work of this Committee in regard to these types of weapons. We wish to propose furthermore that the Committee's report should include a recommendation that the Secretary-General's report be considered in the light of the appeal contained in U Thant's Foreword, in which he urged the Members of the United Nations -

"1. To renew the appeal to all States to accede to the Geneva Protocol of 1925;

"2. To make a clear affirmation that the prohibition contained in the Geneva Protocol applies to the use in war of all chemical, bacteriological and biological agents (including tear gas and other harassing agents), which now exist or which may be developed in the future;

"3. To call upon all countries to reach agreement to halt the development, production and stockpiling of all chemical and bacteriological (biological) agents for purposes of war and to achieve their effective elimination from the arsenal of weapons." (A/7575, p. xii)

20. Moreover, the Polish delegation considers that in its further work this Committee should take into account the following principal criteria.

21. First, the main objective in the field of chemical and bacteriological (biological) weapons should be to ensure strict and universal observance of the existing international

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juridical norms prohibiting their use as contained in the Geneva Protocol of 1925. The significance of the Protocol is brought into focus when the report goes on to state that it helped to establish "a custom and hence a standard of international law" and that -

"... the existence of the Geneva Protocol of 1925 may have helped as a deterrent to the use of chemical or bacteriological (biological) weapons in World War II..." (ibid., para. 7)

In the light of the significance of the Geneva Protocol it becomes indispensable that States not parties to the Protocol should accede to it and should refrain from any action in the military, political or legal sphere which could undermine the effectiveness of the prohibitions contained in the Protocol.

22. Second, any further steps with regard to those weapons should reflect the need for joint consideration of chemical and bacteriological (biological) weapons. There are many arguments to support such an approach. Because of the effects of their use both chemical and bacteriological (biological) weapons are classified as weapons of mass destruction which, again in the language of the report, "stand in a class of their own as armaments which exercise their effects solely on living matter." (ibid., para. 371) "Living matter" here means in the first place human beings, and animals and plants. Furthermore, no distinct dividing line can be drawn between those two types of weapons; for, as the report puts it -

"All biological processes depend upon chemical or physico-chemical reactions, and what may be regarded today as a biological agent could, tomorrow, as knowledge advances, be treated as chemical." (ibid., para. 19)

Moreover, the many similarities in the nature of chemical and bacteriological (biological) weapons permit their integration into one system of mass annihilation.

23. It would not be entirely irrelevant to recall in this connexion that in all the currently-binding international agreements -- such as the Geneva Protocol of 1925, the peace treaties and the settlements concluded after the First and Second World Wars -- as well as in the respective drafts of a treaty on general and complete disarmament submitted in this Committee by the Soviet Union (ENDC/2/Rev.1) and the United States (ENDC/30 and Add. 1-3), chemical and bacteriological weapons as weapons of mass destruction have been dealt with jointly.

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24. We are deeply convinced also that the Committee would disappoint the expectations of world public opinion if it failed to devote due attention to the problems of chemical weapons, whose continued development creates ever new threats to mankind. World public opinion demands equally firmly the elimination of the threat of chemical warfare and other barbarous methods of waging war. I should like to express the hope that the proposals submitted by the Polish delegation in its working paper will meet with the understanding and support of the members of the Committee.

25. My delegation has devoted careful attention to the proposals and suggestions submitted to the Eighteen-Nation Committee on Disarmament with regard to further measures in the field of chemical and bacteriological (biological) weapons, including the draft convention tabled by the United Kingdom delegation on 10 July (ENDC/255). While reserving the right to make more detailed comments on the subject at a later stage of disarmament negotiations, I wish to assure the Committee of the readiness of the Polish delegation to consider any concrete measure which would take due account of the criteria presented above. This co-operation will be forthcoming also within the scope of efforts to extend agreed prohibitions to both bacteriological (biological) and chemical weapons. Our readiness to co-operate in this regard is in line with our general will to co-operate with other States in this Committee, in the United Nations and in other international organizations with a view to ensuring observance of the prohibition of the use of chemical and bacteriological (biological) weapons and securing their elimination from military arsenals.

26. In concluding my remarks I should like to join the other representatives who, in addressing this Committee, have expressed hope for the achievement at the current session of tangible progress in solving some of the problems facing the Eighteen-Nation Committee on Disarmament. We are fully aware of the magnitude of those problems. Indeed, apart from the question of chemical and bacteriological (biological) weapons, they include the important question of prevention of the utilization of the sea-bed and the ocean floor for military purposes and the entire and complex issue of nuclear disarmament. Here I should like to recall that, as in the past, the Polish delegation is in favour of early progress on an underground nuclear test ban as well as limitation, reduction and complete elimination of nuclear weapons.

(Mr. Czarkowski, Poland)

27. I hope that I shall be expressing the sentiments not of my delegation alone in saying that the Eighteen-Nation Committee on Disarmament at its current brief session must not spare any effort to prepare further, agreed recommendations which would pave the way realistically to future negotiations and stimulate the disarmament deliberations both at this table and at the forthcoming General Assembly session. This earnest desire not only corresponds to the Committee's mandate but also reflects the sense of responsibility before the international community for the future course of disarmament negotiations.

28. Mr. LEONARD (United States of America): Before starting my formal statement I should like just to thank all of those who, since my arrival here, have been kind enough to express words of welcome to me. I will make every effort to repay with contributions to the work of the Committee.

29. Following the resumption of this Committee's work on 3 July, we have had informal discussions with many delegations on the problems and prospects for agreement on a sea-bed arms-control measure. In the course of these very frank and valuable discussions we have been asked about our reasoning regarding certain provisions of our draft treaty (ENDC/249) and how we think this treaty might operate. We think it may be of general interest if we now report to the Committee on the substance of these informal exchanges.

30. Throughout our discussions two threads have been apparent. Other delegations have asked us, first, "Is it really desirable to conclude an agreement with a prohibition as limited as the one proposed by the United States? Should we not attempt to achieve restrictions covering more than weapons of mass destruction? If we limit ourselves to a treaty which prohibits only emplacement of weapons of mass destruction, will we be passing up an opportunity, perhaps for ever, to achieve a more comprehensive arms control measure?" This is the first thread that has been apparent in many of the comments put to us.

31. The second thread concerns the significance of a limited measure for the non-nuclear Powers, large and small, the Powers that have no present capability nor any intention ever to place weapons of mass destruction on the sea-bed. Not only is there concern about the significance for them of a measure confined to weapons of mass destruction, but there is question as to the role of these Powers in making a sea-bed treaty work that is to say, in carrying out its verification.

(Mr. Leonard, United States)

32. We recognize that these concerns are genuine and pertinent. They demonstrate that the members of this Committee are pursuing their responsibilities with the utmost seriousness. The members of this Committee would not be doing their job if they did not examine thoroughly whether they are formulating the maximum practical measure. Nor should we fail to examine what role all of us can and should play in carrying out an international arms control measure. We are grateful, therefore, that so many delegations have talked to us candidly about these issues. It is in that same spirit that we wish to review these two broad questions in an effort to explain to the entire Committee our views on these crucial points.

33. Our decision to submit to this Committee a treaty which bans the emplacement of weapons of mass destruction but does not refer to other military uses of the sea-bed results mainly from three factors: our desire to prevent the use of the sea-bed for those weapons which would threaten the security of States; our desire to make significant progress in controlling the arms race, whenever this may be possible; and finally, the need to ensure that the prohibitions are in balance with our verification capabilities.

34. It should be clear to everyone here that the United States believes that arms control measures will be sound, that they will contribute to international security, when each party can be confident that any restraint it accepts is being adhered to by the other parties. Unfortunately, the task of first locating and then of clearly identifying the nature and purpose of all of the wide range of activities that are being and can be carried out on the ocean floor is staggering. These problems were gone into in some detail by Ambassador Fisher in May, (ENDC/PV.411) so I shall not cover the same ground now.

35. We have been asked whether, despite our acknowledged inability to verify fully a ban on a wide variety of military activities, we should not still include some prohibitions that may not, as a practical matter, be subject to verification. This suggestion implies that some prohibitions beyond the emplacement of weapons of mass destruction are so urgently needed or are of such significance that they should be accepted even without verification. It is our belief, however, that realistic possibilities do not now and will not soon exist for conventional military uses of the sea-bed that would be threatening to the territories of States. Nor do we believe that there are non-nuclear military uses of the sea-bed that could in the next few years trigger an arms race.

(Mr. Leonard, United States)

36. It has none the less been asked: what would be the harm in establishing such a prohibition? There are several answers to this question. First, some non-nuclear but very clearly military uses of the sea-bed are strictly defensive, are presently essential to our security and that of others and therefore must not be subject to treaty prohibitions. I refer, for example, to devices for the detection and surveillance of submarines. Secondly, we believe that we should not now attempt to formulate a broad, and unverifiable, prohibition because we really do not know what it would mean in practice. The problem of defining additional prohibited activities beyond the emplacement of weapons of mass destruction seems to us very complex; and we are reluctant to establish any prohibition if we cannot visualize what its practical impact might be, or if we cannot be sure that all other parties share our understanding of the prohibition.

37. We realize that these considerations -- which are not new ones and which I have not attempted to elaborate in detail -- have not by themselves seemed entirely satisfactory to some of the participants in this Committee, participants who genuinely desire to take the largest possible step to curb any actual or potential arms race. It is precisely for this reason that we have incorporated in our treaty a specific provision for treaty review -- article V.

38. We have been asked specifically whether it is intended that the review conference might consider more than additional procedures for verification, a possibility that is referred to expressly in our article III. Our answer is that the review conference indeed may consider whether it is mutually desirable to establish additional substantive prohibitions, or, for that matter, whether to enlarge upon any other feature of the treaty.

39. We have specified that the review conference should take place five years from the entry into force of the treaty. We trust that note has been taken that this would be a firm commitment to hold the review conference at the end of a designated period. There would not be a question of majority or two-thirds votes or other procedural uncertainties about holding this first conference.

40. After the treaty has been in operation for some time, the parties will naturally have views as to whether a measure banning emplacement of weapons of mass destruction is adequate in contributing to a peaceful régime on the ocean floor and to the security of all nations. The parties will certainly be aware of whether new

(Mr. Leonard, United States)

developments in the fields of ocean and military technology have led to prospects, not now foreseen, for destabilizing arms competitions involving the sea-bed. Any proposals which participants in the review conference believed to be constructive could, and undoubtedly would, be put forward for negotiation.

41. The fact that the review conference would be set for five years after entry into force does not, however, mean that there could be no consideration of further prohibitions until that time. Undoubtedly parties that believed additional obligations were warranted would begin diplomatic soundings well before the review conference. Moreover, if a strong need were felt for a substantial amendment, for example two or three years after entry into force, then an amendment could be proposed pursuant to article IV, and appropriate diplomatic activity would ensue.

42. It is our belief, however, that five years after entry into force is a reasonable time for holding a review conference. The technology relating to the oceans is in the process of development. It is within a period of roughly five years that we may witness the sort of changes and advances that may permit us to see more clearly whether and how we ought to move towards prohibitions on a broader range of activities.

43. We sometimes concede for convenience that the United States proposal can be described as a "limited" one in that it focuses on prohibiting emplacement of weapons of mass destruction. The word "limited" may, however, convey a negative impression that is not justified. The United States proposal, if adopted, would be an important step in arms control relating to the oceans. It would be a treaty which, in addition to achieving a significant measure of nuclear arms control, would ensure through the review provision that all possible aspects of sea-bed arms control -- nuclear and conventional -- were subject to periodic scrutiny and negotiation when that was appropriate. And the treaty would provide a treaty framework, already in being for whatever additional measures the parties might judge desirable.

44. I should like to turn now to a second thread which has run through our informal talks. What is the significance of the United States proposal for countries which now have no capability or intention of emplacing nuclear weapons on the sea-bed? How can those countries participate in making the United States measure an effective international instrument? Let me respond to the question of participation first.

45. The question of participation relates, of course, to verification. Under the United States proposal, verification would be based on observation and consultation.

(Mr. Leonard, United States)

Earlier, in presenting the treaty to this Committee in May, we described why we believe this is a simple and appropriate approach in the light of the character of the prohibition we propose (ENDC/PV.414, paras. 12 et seq.), so I shall not repeat those particular considerations now.

46. Regarding the extent of participation by parties generally, however, it should be recognized that some types of observation can be carried out by almost all coastal States. The emplacement on the sea-bed of nuclear-weapon systems would in practice entail a good deal of surface activity. That activity would generally not be difficult to spot: in fact it would be almost impossible to carry it out clandestinely. There are few coastal States that do not have airplanes or ships able to keep watch over the waters in their vicinity. There would be few parties to a sea-bed treaty that would be unable, should they desire, to arrange for divers, even commercial divers whose services are available internationally, to investigate any suspicious situation in areas of the continental shelf adjacent to their territories. The procedures we have suggested, based on existing international rights, are therefore not only of practical significance for those countries that are most advanced in marine technology. Those procedures are meaningful for virtually all coastal States.

47. It is true that verification on the sea-bed is and will remain difficult in the deep ocean environment. There even the countries that have worked hardest to develop a capability will be severely limited and will have to be willing to undertake heavy expenses to perform any major under-water searches. In fact, a deep ocean search can be contemplated only under rather restricted conditions; that is, for a fairly large object whose location is known rather precisely.

48. Having in mind that most parties are not likely to be able to conduct deep sea-bed verification on their own, several delegations have asked us whether we think new international arrangements would be a good idea. We think that suggestions for such arrangements imply a greater capability to perform deep ocean searches than the facts at present justify. We are still learning the basic features of the deep ocean environment. Despite substantial efforts, our capabilities are still rudimentary. In this threshold stage it seems to us unwise to attempt to establish formal new international arrangements. In particular, we do not see how an international organization could now be established, staffed and equipped to perform tasks concerning which we have so little experience.

(Mr. Leonard, United States)

49. Similar considerations lead us to believe that it is not desirable at this time to spell out explicit provisions -- that is to say, commitments -- for providing third-party assistance. As the treaty enters into force and the parties gain experience in its operation we can reasonably foresee that States with mutual interests in particular areas of the sea-bed will work out consultations or other arrangements with one another. As a practical matter, we cannot imagine a situation in which a party with reasonable grounds for suspecting a violation of the treaty could not elicit the co-operation of other parties whose security interests would be served by the continued effectiveness of the treaty. We think that international co-operation of that nature would be more effective than procedures legislated in advance of the facts. Then, if such arrangements proved useful and it appeared desirable to have some sort of prescribed international framework, the review conference could consider ways to define and establish more specific procedures.

50. In contrast, an effort to formulate now a treaty obligation for third-party assistance would inevitably increase the complexity of our negotiations. A formal requirement to assist any complaining State could not be accepted without examining the possible need for criteria in the treaty to establish that a prima facie case had been presented that would justify the effort and expense, and perhaps even the hazards, of a verification operation.

51. Moreover, a formal obligation to assist would have to be accompanied by some provisions or understandings governing priorities as between different verification needs. That would not be a remote or hypothetical problem. The equipment capable of carrying out some types of verification is in extremely short supply in the entire world. It is conceivable that several equally plausible verification requests could occur at the same time. In addition, assistance might perhaps be sought more often from one qualified party than from another. At what point in such a situation would the requested party be justified in turning down a request? To what extent would a country capable of assistance be justified in withholding its equipment on a stand-by basis to serve its own legitimate purposes, such as research, salvage or rescue? Obviously, again, those could be complicated matters, which we think it would be well to avoid at this time.

(Mr. Leonard, United States)

52. As my final point let me discuss the significance which the United States proposed treaty would have for countries other than the nuclear-weapon Powers. As a practical matter, the prohibition in the United States treaty would, of course, primarily restrict the nuclear weapon States. This was pointed out most eloquently by the representative of Japan, Ambassador Asakai, in his statement of 17 July. We are also indebted to Ambassador Asakai for calling attention to the relationship of our proposal to other measures. Ambassador Asakai said:

"We are all aware how difficult it is to check the arms race once it gets started. Indeed, the successful conclusion of the Antarctic Treaty and of the outer-space Treaty (General Assembly resolution 2222 (XXI) (Annex)) was due to a large extent to the preventive nature of the provisions in those Treaties, which were introduced before the arms race in those areas actually started. It is for that reason that we are convinced that measures should be taken immediately to prohibit nuclear and other weapons of mass destruction on the sea-bed and the ocean floor before it is too late. We believe that such measures, if taken now, would not affect the balance of power in the deterrents of the super-Powers. Moreover, such a course of action would be in line with article VI of the non-proliferation Treaty, which states:

'Each of the Parties to the Treaty undertakes to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date ...'." (ENDC/PV.420, para.11)

We in the United States delegation fully agree with that view, and hope that others will share the sense of urgency which was expressed by Ambassador Asakai.

53. There may, however, be some who are inclined to question the need for prompt action, or who may believe that the threat is only hypothetical. Such a conclusion, in our view, would not be prudent. Technology may develop with astonishing speed. The positions of governments may change unexpectedly. Military and technical possibilities which now may seem remote could rather abruptly become imminent and accordingly much more difficult to control. We should not miss an opportunity that exists now. And this need not happen.

(Mr. Leonard, United States)

54. Let me summarize the United States approach. What we propose is feasible now. Our proposal is simple, clear, and unambiguous, and the possibility of additional elements can be considered at a later date with the advantage of more experience.

55. Time and again it has been acknowledged that the nuclear arms race must be curbed and that all States have an interest in this problem by virtue of the vulnerability of every State to the ravages of nuclear war. The measure which the United States proposes regarding the sea-beds would close off emplacement of nuclear weapons in more than 100 million square miles of the earth's surface. It would be a worth-while step in the control of nuclear armaments. It would be a measure in the interests of all States.

56. Before concluding my statement today I should like to say a few brief words on another subject: the recent initiative of the United Kingdom in submitting to this Committee a draft treaty concerning the control of biological weapons (ENDC/255). It is plain to us, from having heard the most interesting presentation of Mr. Mulley (ENDC/PV.418) and from having begun our study of the British draft, that the United Kingdom's proposal is indeed a serious one, reflecting hard work and a genuine desire to contribute to the efforts of this Committee. The United States Government has under intensive study this summer the full range of policy issues relating to chemical and biological weapons, including those raised by the United Kingdom draft; and at this point we must reserve our position on them. We nevertheless welcome and will take full account of initiatives, such as that of the United Kingdom, which are put forward on the basis of serious research in an effort to find areas which, by mutual consent, can be excluded from the arms race.

57. There has, of course, already been considerable informal discussion regarding the United Kingdom proposal. We understand that some delegations are concerned whether it would be a sound procedure to consider the problem of biological weapons separately from that of chemical weapons. We also have thought about this question. We are not clear in our own minds whether it would be desirable to conclude a separate measure relating only to biological weapons. But we certainly must be prepared to study seriously any proposal that may offer promise or that may help us in understanding the various issues involved. The proposal of the United Kingdom delegation will stimulate discussion of many important questions of arms control -- questions of verification, questions of assurances, and the like.

(Mr. Leonard, United States)

58. Before we determine whether or not any proposal is a sound and a practical one, we should consider all of its political and technical aspects on their merits. In particular, it appears to us that the United Kingdom delegation has made a valid point in noting that biological weapons have never been used and that their characteristics and effects are different from those of chemical weapons. The experts' report prepared under the supervision of the Secretary-General (A/7575) has provided us with a detailed discussion of these differences. There is thus, at the least, a prima facie case for separate consideration of biological weapons.

59. President Nixon has instructed the United States delegation to join with other delegations in examining carefully any possibilities for reliable arms control in this field (ENDC/253). Accordingly we would suggest that, if the United Kingdom proposal is broadly supported in principle, a working group be created to discuss technical and other aspects. In any event, we hope that all delegations in this Committee will participate in serious discussion of the issues involved in the United Kingdom proposal.

60. Mr. ROSHCHIN (Union of Soviet Socialist Republics) (translation from Russian): Before proceeding to the statement which the Soviet delegation intends to make today on the substance of the questions under consideration in the Committee, we should like to associate ourselves with the congratulations addressed by you, Mr. Chairman, and also by the representative of the Polish People's Republic, to the United States delegation in connexion with the successful landing of the American astronauts on the moon.

61. The landing of the first men on the moon is an outstanding event in the history of all mankind, opening a new important page in the further conquest of outer space and the exploration of other celestial bodies of the solar system. The flight to the moon of the American astronauts Armstrong, Aldrin and Collins, whose names are familiar to the whole world today, is a brilliant example of courage and a supreme achievement of the human mind. We hope from the bottom of our hearts that the crew of Apollo 11 will successfully complete their courageous flight and return safely to the earth.

62. Turning to questions of substance, we should like to observe that the Soviet delegation intends to put forward in its statement today some considerations on the question of prohibiting chemical and bacteriological weapons. First of all, we should like to emphasize that the recently-received report of the Secretary-General of the

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United Nations, U Thant, on chemical and bacteriological (biological) weapons and the effects of their possible use (A/7575), which was prepared on the recommendation of our Committee and in pursuance of a resolution of the United Nations General Assembly (2454 A (XXIII); ENDC/237) will undoubtedly be conducive to fruitful discussion of this question. The Soviet delegation regards this report, prepared by a group of qualified consultant experts, as an important document likely to facilitate solution of the problem of the complete prohibition of chemical and bacteriological means of warfare.

63. We are carefully studying the report, and we believe that its scientifically-sound evaluations of chemical and bacteriological (biological) weapons and of the effects of their possible use, as well as its conclusions, should act as a stimulus to the intensification of efforts aimed at reliably protecting mankind from the dangers inherent in a war involving the use of means of mass destruction such as chemical and bacteriological (biological) weapons. Availing itself of this opportunity, the Soviet delegation would like to express its gratitude to the Secretary-General of the United Nations, to the experts who compiled the report and to the members of the United Nations Secretariat for the great and useful work which they have done.

64. The Soviet Union has always steadfastly urged that the peoples should be saved from the threat of chemical and bacteriological warfare and that everything should be done to solve the problem of the complete and effective prohibition of chemical and bacteriological weapons. It was precisely with these aims in view that this question was raised as one of the most important tasks in the Memorandum of the Soviet Government of 1 July 1968 on some urgent measures for stopping the arms race and for disarmament (ENDC/227). That Memorandum contains an urgent appeal to all States to consider once again ways and means of securing the observance by all countries of the Geneva Protocol of 1925 for the prohibition of the use of chemical and bacteriological weapons (A/7575, p. 117).

65. We note with satisfaction that during the discussion of this important question both in the Committee on Disarmament and in the General Assembly of the United Nations the delegation of many countries expressed themselves in favour of taking steps as soon as possible to exclude chemical and bacteriological means of warfare completely and for ever from the life of mankind. We listened with great interest to the statement made

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today by the representative of Poland on the subject of chemical and bacteriological weapons, and we must quite definitely emphasize that the conclusions and positions which have been expounded today in the statement of the representative of Poland meet with our full support.

66. The report presented by the Secretary-General of the United Nations, in describing chemical and bacteriological means of warfare as weapons of mass destruction, notes that these weapons stand out in a class of their own among all armaments, since they are the only ones which exercise their effects solely on living, organic matter (ibid., para. 371). The particular danger of chemical and bacteriological (biological) weapons consists in the fact that their large-scale effects could lead to disastrous and irreversible consequences for the balance of nature. The report of the Secretary-General states:

> "The momentum of the arms race would clearly decrease if the production of these weapons were effectively and unconditionally banned. Their use, which could cause an enormous loss of human life, has already been condemned and prohibited by international agreements, in particular the Geneva Protocol of 1925, and, more recently, in resolutions of the General Assembly of the United Nations. The prospects for general and complete disarmament under effective international control, and hence for peace throughout the world, would brighten significantly if the development, production and stockpiling of chemical and bacteriological (biological) agents intended for purposes of war were to end and if they were eliminated from all military arsenals." (ibid., para. 376)

67. Thus, if we wish to save mankind from chemical and biological means of warfare, it is necessary to prohibit them completely and for ever. To that end there is a good basis from which we should proceed -- the Geneva Protocol of 1925, which has stood the test of time and was a serious deterrent to the use of chemical and bacteriological weapons in the Second World War. Since the Second World War a further number of States have acceded to the Geneva Protocol, and its international importance has been reinforced by United Nations General Assembly resolutions 2162 B (XXI) of 5 December 1966 (ENDC/185) and 2454 A (XXIII) of 20 December 1968 (ENDC/237), which called for "strict observance by all States of the principles and objectives" of the Geneva Protocol and invited all States to accede to it.

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68. It is pointed out in the report of the Secretary-General that the Geneva Protocol established

> "... a custom and hence a standard of international law, and in practice most States have adhered to the principle that no one should resort to the use of such weapons." (A/7575, para. 7)

In advocating the complete prohibition of chemical and biological weapons, the Soviet Union considers that accession to the Geneva Protocol by all States which have not yet become parties to it is a matter of importance and urgency. The Secretary-General also found it necessary in his Foreword to the report to "renew the appeal to all States to accede to the Geneva Protocol of 1925." (ibid., p. xii)

69. The discussion which has developed in the Committee shows that the members of the Committee agree in holding the opinion that the question of the prohibition of chemical and bacteriological weapons has a top priority. We have heard a number of interesting and informative statements on this problem. Some delegations have submitted specific documents to the Committee. At today's meeting the delegation of the People's Republic of Poland submitted a document (ENDC/256) which in our opinion deserves the closest attention and consideration.

70. At one of the previous meetings the United Kingdom delegation tabled a draft convention on the prohibition of biological methods of warfare (ENDC/255), which is being thoroughly studied by the Soviet delegation. Reserving the right to comment on the proposals submitted by the United Kingdom delegation in greater detail later, we should like today to set forth some considerations of a general nature.

71. The United Kingdom proposal puts forward the principle of treating the prohibition of chemical weapons and that of biological weapons separately. The United Kingdom representative, Mr. Mulley, said as far back as last year (ENDC/PV.381, para. 91) that it was necessary to start settling the question of the prohibition of chemical and biological weapons by concluding a separate agreement relating only to the prohibition of biological weapons. Speaking at the Committee's meeting on 10 July this year, he confirmed that position by stating that

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"... if we try to tackle biological and chemical methods of warfare simultaneously, far from making progress on both fronts we shall not make the rapid progress we want and, I am sure, the whole world wants." (ENDC/PV.418, para.13)

In this connexion Mr. Mulley emphasized that -

"... since chemical weapons pose a more difficult problem than biological weapons, ... the right course is to make a start by banning not merely the use but the actual production and possession of biological weapons" (ibid.)

72. The question arises whether the approach suggested by the United Kingdom side will be a correct one. It is no accident that for many decades chemical and biological means of warfare have been treated together, and the prohibition of the use of these types of weapons represents a single, generally-recognized rule of international law. The problems of chemical and bacteriological weapons are treated jointly not only in the Geneva Protocol of 1925 itself, but also in a number of important resolutions of the United Nations General Assembly, including those resolutions to which I have already had the honour to refer, namely 2162 B (XXI) and 2454 A (XXIII).

73. A number of objective factors substantiate this joint approach to the problem of chemical and bacteriological weapons.

74. First of all, both these types of weapons are means of mass destruction of human beings and are solely designed, as the report by the experts indicates, to strike down the forces of belligerents and the civilian population and to destroy organic matter. Neither chemical nor biological means of warfare damage industrial or military installations, structures, etc. Incidentally, that is the difference between those means of warfare and the other type of weapons of mass destruction -- nuclear weapons.

75. That the problems relating to chemical and biological weapons should be treated and settled together is also confirmed by the fact that in a number of cases it is extremely difficult, and in some quite impossible, to draw a distinction between particular agents. In this respect the report of the United Nations Secretary-General says:

"All biological processes depend upon chemical or physico-chemical reactions, and what may be regarded today as a biological agent could, tomorrow, as knowledge advances, be treated as chemical." (A/7575, para.19).

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76. It is common knowledge that the means of delivery of both chemical and bacteriological agents are practically the same. This is also pointed out in the report of the United Nations Secretary-General:

"Bacteriological (biological) agents can, in principle, be loaded into the same type of munitions as can chemical agents." (ibid., para.71)

It is also known that in the armed forces of many countries the same services deal with questions relating to chemical and to biological means of warfare and protection from them.

77. No doubt members of the Committee will recall that when, at the suggestion of Poland (ENDC/PV.385*, para.70), the question of preparing a report on the effects of the possible use of chemical and bacteriological weapons was being discussed last year, an attempt was made to separate one question from the other and conduct research only on one of those means of warfare (ENDC/PV.387, paras. 9 et seq.). However, that proposal had no success and was rejected, and the Committee unanimously approved the decision to ask the United Nations General Assembly to request the Secretary-General to prepare a report on the effects of the possible use of both chemical and biological means of warfare (ENDC/236, p.4). This proposal was later adopted by the General Assembly (resolution 2454 A (XXIII)).

78. The attempt to divide the problem into two parts and to deal at the present time only with biological means of warfare would result in the problem of the complete prohibition of chemical weapons being virtually postponed indefinitely. The question arises whether the prohibition of biological weapons alone would not lead to intensifying the chemical arms race. This question stems from the fear lest there should come about a situation fraught with serious consequences. It cannot be denied that the danger of chemical weapons being used is, precisely in present-day circumstances, more real. These weapons have been used on many occasions and on a fairly large scale. The report cites figures giving the number of casualties resulting from the use of chemical weapons among the belligerents during the First World War. Even the chemical arms race itself in these days results in victims, in the poisoning of human beings and animals. The danger inherent in the production and stockpiling of such weapons has been given wide publicity at the present time, even in the last few days, and has aroused justifiable concern in public opinion in various countries of the world. In regard to the use of biological means of warfare, the Secretary-General's report indicates that "There is no military experience of the use of bacteriological (biological) agents as weapons of war ..." (A/7575, para.38).

(Mr. Roshchin, USSR)

79. In comparing chemical and bacteriological weapons we have no intention at all of underestimating the importance of the problem of prohibiting biological weapons; but we should like to emphasize in the clearest possible manner that the prohibition of biological weapons alone, without the simultaneous prohibition of chemical means of warfare, would be wrong, because the production and stockpiling of chemical weapons would in fact remain outside the prohibition.

80. At present a number of countries are conducting, and ever intensifying, research work with a view to creating chemical substances many times more lethal than those used in the past. The Secretary-General's report stated that -

"The particular threat posed by chemical weapons today derives from the existence of new, and far more toxic, chemical compounds than were known fifty years ago." (ibid., para.15)

81. It has been asserted here that it is necessary at present to deal with biological weapons alone because, allegedly, the prohibition of the production and stockpiling of chemical means of warfare is a difficult matter. However, no well-founded arguments have been put forward in support of this assertion. The question arises, why is it more difficult to prohibit chemical weapons than biological weapons? In our opinion there are at the present time equal possibilities for the simultaneous prohibition of chemical and biological weapons, provided there is the goodwill and the desire to do so on the part of States.

82. That approach is also shared by the authors of the Secretary-General's report and by many members of the Committee. Thus, the representative of Sweden, Mrs. Myrdal, speaking on 20 August 1968 against the separate treatment of chemical and biological weapons, emphasized that all existing types of chemical and bacteriological weapons should be included in one category. Allow me to quote from her statement:

"The Swedish delegation wants to state that to our mind the weightier arguments speak in favour of an attempt not to separate the treatment of B weapons from that of C weapons." (ENDC/PV.391, para.24)

Today we have also heard the point of view expressed on this question by the Polish representative, who convincingly showed in his statement that questions relating to the production and stockpiling of chemical and bacteriological weapons should be dealt with together.

(Mr. Roshchin, USSR)

83. The Soviet delegation supports the recommendation of the United Nations Secretary-General that all countries should

> "... reach agreement to halt the development, production and stockpiling of all chemical and bacteriological (biological) agents for purposes of war and to achieve their effective elimination from the arsenal of weapons."
> (A/7575, p.xii)

84. We should like also to emphasize that the division of the question of the prohibition of chemical and bacteriological (biological) weapons into two parts would lead to the weakening and undermining of the Geneva Protocol, in which both of those questions are dealt with simultaneously. Apparently it is no coincidence that the United Kingdom draft convention proposes the undertaking anew of the obligation not to use biological weapons, as though no such prohibition existed, although, as we know, it is quite definitely laid down in the Geneva Protocol of 1925.

85. We should like once more to emphasize most strongly that our task is not only to prevent the weakening of the Geneva Protocol but also, and on the contrary, to seek to strengthen it through its strict observance and the accession to it of all States.

86. The position of the Soviet Union on the question of chemical and biological weapons is clear and definite. The Soviet Union is in favour of the effective prohibition of chemical and biological means of warfare. At the session of the Supreme Soviet of the USSR on 10 July this year the Minister of Foreign Affairs of the Soviet Union, Mr. A.A. Gromyko, expressed the hope that-

> "... this question will be settled by States with all the requisite responsibility, and that in the not too distant future an appropriate agreement, confirmed in accordance with international legal procedure, will be achieved."

The Soviet delegation in the Committee is prepared, for its part, to do everything possible to achieve that important, noble and humane goal.

87. Mr. KHALLAF (United Arab Republic): My delegation joins you, Mr. Chairman, and the representatives of Poland and the Soviet Union in extending warmest congratulations to the United States people and to the United States delegation here on the occasion of the successful landing of the men of Apollo 11 on the moon. We have

(Mr. Khallaf, United Arab Republic)

all beer following them with admiration, wishing them a safe return and hoping that their achievement will help in furthering the cause of peace and the spirit of brotherhood among men.

88. My delegation followed with attention the statements made today. Needless to say, we shall study them with the utmost care and comment on them in due time.

89. At the outset of my statement today I should like, on behalf of the Government of the United Arab Republic, to extend to the delegations of Japan and the Mongolian People's Republic a most cordial welcome on their joining the Eighteen-Nation Committee in Geneva. We see in the choice of those two nations for participation in our work a clear recognition of the useful role they are called upon to assume in the achievement of our common task; and we are looking forward with expectation to their contributions thereto, which, we do not doubt, will be both valuable and constructive. In that connexion I should like to assure the delegations of Japan and the Mongolian People's Republic of our sincere wish for the closest co-operation in the fulfilment of our joint endeavours.

90. I should like, furthermore, to express the hope of my delegation that any further enlargement of the Eighteen-Nation Committee will be contemplated on the basis of maintaining the negotiating character of the Committee as well as the geographic and political balance, which have proved so fruitful to our work here in the past, and that the established right of the General Assembly to manifest its views on the question of the expansion of membership will be upheld.

91. Before proceeding further in my statement, I should like also to address a warm welcome to the representative of the United States of America and one of our co-Chairmen, Ambassador Leonard, and to wish him every success in his mission.

92. Since the time available to this Committee before preparing its report to the General Assembly is rather limited, it would seem best to use that time in a rational manner by concentrating our efforts on certain particular items amongst which is the prevention of an arms race on the sea-bed. During our spring session this year, draft treaties pertaining to this important subject were tabled by the Soviet Union (ENDC/240) and the United States of America (ENDC/249) respectively. Many delegations -- amongst them that of the United Arab Republic (ENDC/PV.403, paras. 32 et seq.) -- have

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already commented on the Soviet draft. We now feel that we should take our thoughts a step forward, if only in a provisional manner.

93. While we do not see the need to reiterate the great importance of the item, we nevertheless deem it useful to try to delimit the nature of this particular problem. The sea-bed treaty is generally considered to be only a preventive measure and not a curative one. As such it will join other similar treaties that have been successfully negotiated before.

94. With this in mind we must moreover remember that this treaty will not transform the seas and oceans into a peaceful area, since it is meant to deal only with prohibiting the use of the sea-bed for military purposes. It is not intended to cover military activities on the surface of the sea, or in the even vaster region between the surface and the ocean floor. Thus these two areas will remain infested with highly-sophisticated weapons, both nuclear and conventional. This grave limitation is a cause for regret, and if we wish, in spite of this apparent shortcoming, to bring our negotiations on this item to an early and fruitful end, it will be due to our belief in the utility of proceeding by many gradual steps towards general and complete disarmament. In this connexion one is tempted to link the sea-bed treaty to the non-proliferation Treaty (ENDC/226*), especially if we consider the endeavours of the nuclear-weapon States to bring about the former as an application of article VI of the non-proliferation Treaty.

95. Concerning the scope of military activities to be prohibited, the two drafts before the Committee present us with two different proposals. The Soviet draft calls for complete demilitarization, including conventional weapons and weapons of mass destruction, whereas the United States draft refers to the latter type only. We have carefully studied the reasons and weighty arguments presented by their respective sponsors. We have, as well, taken note of the deliberations so far in this Committee, where a variety of other proposals have been thoughtfully presented. These have ranged from a general prohibition subject to a few exceptions, to one comprising weapons of mass destruction as well as conventional weapons to be agreed upon in a list to a prohibition of weapons of mass destruction in a first stage to be followed by a ban on conventional weapons at a later stage.

96. The delegation of the United Arab Republic has already stated its basic position on the problem, which is "to prohibit all military weapons and military activity on the sea-bed" (ENDC/PV.403, para.34), and the reasons for such a position are manifold.

(Mr. Khallaf, United Arab Republic)

97. To begin with, the limitation of the prevention of an arms race on the sea-bed to nuclear weapons and other weapons of mass destruction only, while leaving the question of conventional military uses in abeyance, cannot be looked upon with equanimity, as it would pose with time an inevitable and ever-increasing threat which does not respond to the world-wide desire that the sea-bed be reserved exclusively for peaceful purposes 98. Furthermore, it would seem to us that the problem of verification might not prove so difficult as appeared at the beginning; for we would think that conventional military activity will practically be confined, at least for some years to come, to only a very limited part of the vast sea-bed and ocean floor and will not cover it all. Our reasoning is that nature itself imposes these limitations; for there are certain depths beyond which man is not yet prepared to venture. If to that we add further limitations imposed by the geographical location and strategic considerations -- after all, such installations will be put in chosen sites only -- the part of the sea-bed open to military activity would perhaps have shrunk to such an extent as to render the issue of verification much easier of approach.

99. Moreover, could not verification be carried out primarily, but not exclusively, at the very surface of the sea, at least in the early stages of a treaty? It appears to us that the most likely way to a given spot on the sea-bed is via the surface of the sea directly above it, and that the agglomeration of ships with their particular contours, cranes and gear in a sensitive area of the high seas for days, if not weeks or months, could hardly escape our vigilance.

100. Lastly, to postpone the issue of preventing a conventional arms race on the sea-bed could only clear the way for the ultimate perfecting and proliferation of these arms to such an extent as to render later agreement with a view to their limitation a most difficult if not altogether impossible task. In this connexion I need hardly point to the example of the comprehensive test-ban treaty, which, so many years after the limited Moscow Treaty (ENDC/100/Rev.1), still eludes agreement.

101. Let me assure the Committee that it is not my intention to minimize the many and varied difficulties to be encountered in this respect. Quite on the contrary, I merely wish us to serve peace well, and to do so we must look at the problem from all its different aspects.

(Mr. Khallaf, United Arab Republic)

102. Having said that, we strongly believe it advisable, in case no agreement on the scope as envisaged by us emerges from our deliberations here, that the principle of general prohibition be clearly enunciated in the sea-bed treaty, which would then be susceptible to some exceptions. This is an idea first suggested by Mrs. Myrdal, the representative of Sweden, during our meeting on 22 April (ENDC/PV.405, paras.72, 77). Of course, we understand these exceptions to be based on certain criteria to be agreed upon by all.

103. When comparing further the Soviet and United States drafts on the question of the scope of prohibition, one can see that the difference goes well beyond the type of weapons to be banned from the sea-bed. Thus, while the Soviet draft, in the first paragraph of article 1, establishes the principle of prohibition and follows it in the second paragraph by the specifics of that principle, the United States draft does not refer to a principle but tackles the specifics only. For reasons already mentioned, the delegation of the United Arab Republic is in favour of the first approach.

104. Moreover, the wording of the Soviet draft does not mention clearly who it is that is to implement the prohibition; while the United States draft refers clearly to "Each State Party to this Treaty". Here we should prefer the latter wording.

105. Furthermore, the United States draft, unlike the Soviet draft, sets forth in paragraph 2 of article I the various forms of prohibition when it states: "to refrain from causing, encouraging, facilitating or in any way participating in the activities prohibited by this Article." That precise and comprehensive formulation is acceptable to us.

106. Lastly, both drafts comprise many terms in the first article as well as in some other articles which need to be clarified without undue rigidity. My delegation deems this point to be of particular importance if we are to understand clearly our future obligations and rights under the provisions of the treaty.

107. I should like now to make a few comments on the area to be covered by the prohibition. The delegation of the United Arab Republic has noticed with satisfaction that both the Soviet and the United States drafts agree that the delimitation of the area to be covered by the prohibition would serve the purpose of this treaty only and would in no way prejudice the position of any State concerning the width of territorial waters or any other controversial point related to the law of the seas. This convergence of views has been supported by a clear consensus in the Committee, and we consider this to be a positive and realistic approach which would greatly facilitate our task.

(Mr. Khallaf, United Arab Republic)

108. Another point of consensus in the Committee is related to the common desire that as large an area as possible should be covered by the prohibition. In the course of our discussions during the spring session some delegations pointed to the inter-relationship between the scope of the prohibition and the area of the prohibition. We think that this relationship exists. But we believe, moreover, that there exists another relationship too -- namely, that between the security requirements of the coastal States and the military uses of the high seas. In our opinion the unrestricted deployment of mobile naval power by some States makes it more necessary for other coastal States, particularly the less powerful, to rely on their national potential for defence in the maritime zone contiguous to their sea shores. Thus the retention of a part of the sea-bed for defence requirements would continue to be logical and appropriate until measures for general and complete disarmament were adequately agreed upon with regard to the military uses of the high seas.

109. The delegation of the United Arab Republic considers the twelve-mile limit proposed for this zone in the Soviet draft to be a reasonable one. This is a limit which coincides with the width of the territorial waters of many small countries, including my own. But we certainly believe too that, for the purpose of a treaty on arms prevention on the sea-bed, countries whose territorial waters are less than twelve miles wide should enjoy the same rights as those whose territorial waters are of that width. During the meeting on 8 May Ambassador Roshchin, the representative of the USSR, stated:

> "The Soviet proposal for the establishment of a twelve-mile maritime zone is based on the premise that such a zone is to be established for all coastal States irrespective of the width of their territorial waters. Consequently, also those States whose territorial waters are under twelve miles would be protected by the twelve-mile zone established for the purposes of this treaty".
>
> (ENDC/PV.409, para.35)

110. It is also the belief of my delegation that the establishment of such a maritime zone is totally divorced from questions of sovereignty in the territorial waters or sovereign rights in the continental shelves. These rights, established under international law and international agreement, thus remain unaffected.

(Mr. Khallaf, United Arab Republic)

111. My delegation listened with the utmost attention to the statement made by Ambassador Asakai, the representative of Japan, at the last meeting of our Committee. He suggested (ENDC/PV.420, paras.14, 15) that the area of prohibition, which in his opinion should be in terms of denuclearization, should extend to the sea-bed and the continental shelf of the territorial waters. Thus the entire sea-bed and ocean floor would be free from nuclear weapons of mass destruction. Conceivably the prohibition would not interfere with conventional weapons in the territorial waters of coastal States. This imaginative suggestion is being studied most attentively by my delegation.

112. I can only point at this stage to the various implications of this suggestion in relation to nuclear disarmament measures by nuclear Powers and to its link with the non-proliferation régime contemplated by the non-proliferation Treaty. In our opinion we still have to listen to more comments, especially from the Japanese delegation itself as well as from nuclear Powers. One aspect of the question would be -- as the representative of Japan himself pointed out -- the enormous problems with regard to the establishment of a workable system of inspection and control. This problem could acquire a more serious character since the implications of the Japanese suggestion might conflict not only with the security needs of a country but also with sovereignty considerations in its territorial waters.

113. I now wish to tackle the question of verification. In attempting to formulate treaty provisions in this field we must be guided by the very nature of the sea-bed environment. We would agree with the view expressed by some delegations that all-out analogy with outer space or Antarctica should have its limits. The sea-bed and ocean floor are inseparable parts of the world oceans and seas, on the coasts of which most countries are situated, and they are used by these in one form or another and in various degrees. Most members of the international community are, by virtue of this fact, maritime countries. Few countries are Antarctic Powers and even fewer are space Powers.

114. A system of verification and inspection, in order to be both workable and attractive, should therefore take into due consideration the manifold interests of the large part of the community of nations. In this light it becomes of the utmost importance that such a system should be tailored in such a way as to afford every country, even a small country, an opportunity to put it into operation whenever it deems it necessary. The right to inspect should therefore acquire, as far as possible, practical value for all. Without that a non-armament agreement on the sea-bed would fall short of enlisting the wide adherence which is an essential factor if it is to be meaningful.

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115. Consequently we do not believe that small countries would be sufficiently persuaded to adhere to an agreement whose system of verification was based only on the right of every State to observe the activities of others on the sea-bed; for that right is already in existence under present international law applicable to the high seas. Indeed, article III of the United States draft recognizes that fact when it states that "the Parties ... remain free to observe activities of other States ...". Furthermore, the exercise of such a right would have a meaningful and practical value for a small country only if it is afforded assistance by some other country or through some international arrangements.

116. A system based primarily on observation is not ameliorated by providing for an undertaking on the part of the suspected State to consult and co-operate to resolve the question; for consultation and co-operation are by definition dependent on the will of the suspected State, and they constitute a stage subsequent to the stage of observation, on which I have already expressed my delegation's misgivings.

117. We also find some difficulty in understanding the reasons for making the revision of the verification system envisaged by the United States draft more rigid than revision of other provisions of the treaty, some of which are very fundamental indeed. For, while all other provisions could be amended at any time in accordance with article IV, the revision of the system of verification is to be carried out exceptionally through the procedure of a review conference to be held five years after the entry into force of the treaty.

118. Furthermore, we find some ambiguity with regard to the provisions on consultation and co-operation in the United States draft. We assume, however, that these consultations are supposed to take place between the suspecting party and the party which is suspected to have emplaced the prohibited weapons. But what would be the situation if the latter refused to co-operate in these consultations? Another question: is it conceived under the United States draft that certain measures are to be taken in the territorial waters of a State when alleged suspicions are related to the sea-bed under those territorial waters of those waters are covered by the prohibition; and would those measures be taken after the permission of the coastal State had been acquired, or irrespective of that permission? I think it would be useful to hear some clarification on these and other related questions.

(Mr. Khallaf, United Arab Republic)

119. We have also studied with great attention the system of verification proposed in article II of the Soviet draft, and listened to the various comments made on that article in the course of the spring session. We believe that the principle of accessibility to the installations and structures goes a step further in making the system more effective. Our main difficulty, however, with the proposed Soviet system lies in the fact that it does not afford a practical opportunity for medium and small Powers to exercise their rights of verification and inspection.

120. Faced with those difficulties in both the Soviet and the American drafts, we find ourselves in no position but to insist on providing for certain provisions in any verification system which would make such a system non-discriminatory and workable for all. We have thought, together with others, that one method of achieving this could be by way of making verification through access available to any State party to the treaty, through its own means or with the full or partial assistance of any other State party to the treaty, if so requested. When it becomes feasible, such verification could also be carried out by an appropriate international agency or arrangement.

121. We believe that that is the minimum provision necessary to give meaning to the system of verification, at least for small and medium-zized States. Meanwhile we remain open-minded and ready to hear the comments of other delegations in our effort to secure a verification system that is equal in its practical application.

122. It is the objective of my delegation, while we are engaged in this rather comparative approach to the two texts before the Committee, to try to find more grounds for an agreement which would best secure man's benefit and betterment in this vast and promising human environment.

123. We would also support the ideas expressed at previous meetings by some delegations regarding the inclusion in the preamble to the treaty of certain passages from the United Nations resolutions on the question of the sea-bed. We refer in particular to General Assembly resolution 2340 (XXII), which expressed the mindfulness of the General Assembly of -

> "... the importance of preserving the sea-bed and the ocean floor, and the sub-soil thereof ... from actions and uses which might be detrimental to the common interests of mankind",

(Mr. Khallaf, United Arab Republic)

and to General Assembly resolution 2467 A (XXIII), in which the Assembly expressed its conviction that exploitation of the sea-bed -

"... should be carried out for the benefit of mankind as a whole, irrespective of the geographical location of States, taking into account the special interests and needs of the developing countries".

124. My delegation would find a reference to some specific purposes of the Charter preferable to a general reference to the Charter, since what we propose to do, while it is in full conformity with the Charter, would go beyond the Charter in the limitations it would impose on freedom to use the sea-bed and the ocean floor for military purposes.

The Conference decided to issue the following communiqué:

"The Conference of the Eighteen-Nation Committee on Disarmament today held its 421st plenary meeting in the Palais des Nations, Geneva, under the chairmanship of H.E. Ambassador Alhaji Sule Kolo, representative of Nigeria.

"Statements were made by the Chairman and by the representatives of Poland, the United States of America, the Union of Soviet Socialist Republics and the United Arab Republic.

"The representative of Poland submitted a working paper concerning the report of the Secretary-General of 1 July 1969 on chemical and bacteriological (biological) weapons and the effects of their possible use (A/7575) (ENDC/256).

"The next meeting of the Conference will be held on Thursday, 24 July 1969, at 10.30 a.m."

The meeting rose at 12.35 p.m.

CONFERENCE OF THE EIGHTEEN-NATION COMMITTEE ON DISARMAMENT

ENDC/PV.422
24 July 1969
ENGLISH

FINAL VERBATIM RECORD OF THE FOUR HUNDRED AND TWENTY-SECOND MEETING

held at the Palais des Nations, Geneva,
on Thursday, 24 July 1969, at 10.30 a.m.

Chairman: Mr. A. CZARKOWSKI (Poland)

GE.69-16811

PRESENT AT THE TABLE

Brazil:	Mr. S.A. FRAZAO
	Mr. P. CABRAL de MELLO
	Mr. L.F. PALMEIRA LAMPREIA
Bulgaria:	Mr. K. CHRISTOV
	Mr. M. KARASSIMEONOV
	Mr. I. PEHIREJIEV
Burma:	U CHIT MYAING
	U KYAW MIN
Canada:	Mr. G. IGNATIEFF
	Mr. R.W. CLARK
	Mr. J.R. MORDEN
Czechoslovakia:	Mr. T. LAHODA
	Mr. J. STRUCKA
	Mr. J. CINGROS
Ethiopia:	Mr. A. ZELLEKE
India:	Mr. M.A. HUSAIN
	Mr. K.P. JAIN
Italy:	Mr. R. CARACCIOLO
	Mr. F. LUCIOLI OTTIERI
	Mr. A. BORGARELLI
	Mr. U. PESTALOZZA
Japan:	Mr. K. ASAKAI
	Mr. Y. NAKAYAMA
	Mr. T. SENGOKU
	Mr. J. SAKAMOTO
Mexico:	Mr. J. CASTANEDA
	Miss E. AGUIRRE
	Mr. R. VALERO

Mongolia:	Mr. M. DUGERSUREN
	Mr. Z. ERENDOO
	Mr. S. ADIKHOU
Nigeria:	Alhaji SULE KOLO
	Mr. C.O. HOLLIST
	Mr. L.A. MALIKI
Poland:	Mr. A. CZARKOWSKI
	Mr. A. SKOWRONSKI
	Mr. H. STEPOSZ
	Mr. R. WLAZLO
Romania:	Mr. O. IONESCO
	Mr. C. GEORGESCO
	Mr. A. GAJU
	Mrs. F. DINU
Sweden:	Mrs. A. MYRDAL
	Mr. A. EDELSTAM
	Mr. R. BOMAN
	Mr. J. LUNDIN
Union of Soviet Socialist Republics:	Mr. A.A. ROSHCHIN
	Mr. R.M. TIMERBAEV
	Mr. V.V. ZHOUKOV
	Mr. V.S. TOULINOV
United Arab Republic:	Mr. O. SIRRY
	Mr. M.S. EL KILANY
	Mr. M. ISMAIL
United Kingdom:	Mr. I.F. PORTER
	Mr. W.W. WILLIER-FRY
	Mr. R.I.I. CROMARTIE

United States of America:	Mr. J.F. LEONARD
	Mr. A.F. NEIDLE
	Mr. W. GIVAN
	Mr. R. McCORMACK
Special Representative of the Secretary-General:	Mr D. PROTITCH
Deputy Special Representative of the Secretary-General:	Mr. W. EPSTEIN

1. The CHAIRMAN (Poland): I declare open the 422nd plenary meeting of the Conference of the Eighteen-Nation Committee on Disarmament.

2. Mr. CHRISTOV (Bulgaria) (translation from French): First of all I should like, on behalf of the Bulgarian delegation, to associate myself with the congratulations which have been extended to the delegation of the United States on the success of the Apollo 11 mission. We pay the warmest tribute to the three astronauts for their magnificent exploit, which crowns so many efforts and adds another important link to the endless chain of progress. Our sincerest thoughts go at this time to Armstrong, Aldrin and Collins, to whom we wish a safe return to Earth in the next few hours. Since the day, eight years ago, when Yuri Gagarin inaugurated the era of outer-space exploration, we have been witnessing in amazement the realization of mankind's oldest dream. Besides arousing feelings of admiration, these achievements, we believe, strengthen confidence in man's ability to solve the problems facing him on earth.

3. Speaking for the first time at the present session, I should like to extend a welcome to the new participants in this Committee: the representative of the Mongolian People's Republic, Ambassador Dugersuren, and the representative of Japan, Ambassador Asakai; and to the members of their delegations. We are glad to welcome the presence in this Committee of the delegation of the Mongolian People's Republic, for we are sure that the cause of disarmament and our work can greatly benefit from the contribution of a country whose attachment to the cause of peace we know. My delegation knows also also the great interest taken by Japan in the problems of disarmament. The direct association of that country with the efforts to find solutions to those problems will, we have no doubt, contribute to the success of our work. I should like also to extend to Ambassador Leonard the wishes of my delegation for every success in his task as head of the United States delegation and co-Chairman of the Committee.

4. Once again we are faced with problems which have long been on the agenda of our Committee. And as on each occasion when we have to take up the discussion, we begin, it seems to us, by realizing that in the meantime the solution of those problems has become more necessary and more urgent because, as has been emphasized repeatedly, the disarmament negotiations are taking place in a general situation whose outstanding feature is the arms race.

(Mr. Christov, Bulgaria)

5. Noting, for instance, the delays in the process of ratification and entry into force of the Treaty on the Non-Proliferation of Nuclear Weapons (ENDC/226*) -- delays due to causes sufficiently well known to make it unnecessary to recall them -- we have to acknowledge that they are not calculated to facilitate efforts towards the adoption of other measures aimed at stopping the arms race and, first of all, the nuclear arms race.

6. In this connexion, may I inform the members of the Committee that on the 10th of this month the Presidium of the Bulgarian National Assembly ratified the Treaty on the Non-Proliferation of Nuclear Weapons, which my country was one of the first to sign.

7. At the Committee's session from 18 March to 23 May the discussion bore on some of the most important problems on our agenda. It was, in our opinion, marked by a desire to proceed more quickly in the search for concrete solutions. Two draft conventions relating to the problem of the demilitarization of the sea-bed and the ocean floor were submitted by the delegation of the Soviet Union (ENDC/240) and that of the United States (ENDC/249), a working paper on the prohibition of underground tests was submitted by the delegation of Sweden (ENDC/242), and other working papers were submitted by the delegations of Canada (ENDC/244, 248 and 251), Italy (ENDC/245, 250), Mexico (ENDC/241) and Nigeria (ENDC/246, 247). Pending the receipt of the Secretary-General's report, a vigorous discussion took place on chemical and bacteriological weapons. We believe that those are elements which the current session can and must turn to account in order to arrive at the concrete results which the United Nations and the world expect from the Eighteen-Nation Committee on Disarmament.

8. I now wish to refer to the question of chemical and bacteriological weapons, which arouses keen interest in the Committee. New documents, in particular that entitled "Report of the Secretary-General on chemical and bacteriological (biological) weapons and the effects of their possible use" (A/7575), the draft convention (ENDC/255) submitted by the United Kingdom delegation, the working paper (ENDC/256) submitted by you, Mr. Chairman, on behalf of the Polish delegation, and also the important statements made on the same subject by the delegations of the United Kingdom (ENDC/PV.418), the Soviet Union (ENDC/PV.421), Poland (ibid.) and the United States (ibid., paras. 56 et seq.) call our attention again to this problem.

(Mr. Christov, Bulgaria)

9. My delegation has already had an opportunity to explain its position in this regard, but it goes without saying that the aforesaid documents and especially the Secretary-General's report, as well as certain events, make this subject outstandingly topical. We have studied the Secretary-General's report with the great care it merits, and we feel that it would be pointless to go into details of what we have no doubt all delegations know: that the report confirms everything that could be imagined about the inhuman and horrible nature of chemical and bacteriological weapons. In our view the report offers a complete picture of the horrors to which human beings would be condemned without any discrimination of age, condition or nationality were these weapons ever to be used, because they are easier to produce and transport, because it is difficult to detect their presence if they are used, and because more often than not they are perceived by their effects when it is already too late.

10. Moreover, chemical and bacteriological weapons not only act by themselves -- that is to say, by their capacity to kill; they are capable of arraying, as it were, against man all the elements of nature: the soil, the wind, the rain, living beings, animals and plants, which serve to transmit them, preserve them and prolong their effects in time and space. Their effects are long-term, unlimited and unpredictable. They destroy foodstuffs and livestock. The civilian population has virtually no protection against them; the protection of domestic animals and plants is unsatisfactory. Decontamination is difficult and complicated, because chemical and bacteriological weapons impregnate the earth, the buildings and streets of large towns and dwellings. One has only to recall certain theoretically-possible contamination, for example that of removing the topsoil by bulldozers, to understand the utter futility of counter-measures against these weapons.

11. It is appropriate to underline a quite alarming feature pointed out in paragraph 355 of the report, which states that the production of an armoury of chemical and bacteriological (biological) weapons could constitute in peacetime a danger to people living near production, storage and testing facilities. The members of this Committee are no doubt aware of the facts reported in recent weeks by the world Press concerning the death of thousands of animals and other grave accidents following experiments with toxic gases.

(Mr. Christov, Bulgaria)

12. The Bulgarian delegation is grateful to the Secretary-General and the experts for their efforts to present this startling picture in all its scientific clarity. We firmly believe that it will be very useful for the Committee's work, and that it will contribute to the greater enlightenment and alerting of public opinion in all countries so as to mobilize the will of everyone against the threat which chemical and bacteriological weapons represent.

13. We share the sentiment of the Secretary-General when he states that he is particularly impressed by the conclusion of the consultant experts:

"Were these weapons ever to be used on a large scale in war, no one could predict how enduring the effects would be, and how they would affect the structure of society and the environment in which we live." (A/7575, p. xi)

We trust that the Committee will draw the obvious conclusions in this instance. As far as my own delegation is concerned, we consider that the measures to be taken with the utmost urgency must outlaw chemical and bacteriological weapons as advocated by the Secretary-General in his Foreword to the report (ibid., p. xii), and include in particular: first, accession by all States to the Geneva Protocol of 1925 (ibid., p. 117); second, affirmation that the prohibition contained in the Geneva Protocol applies to the use in war of all chemical, bacteriological and biological agents (including tear gas and other harassing agents), which now exist or which may be developed in the future; third, the conclusion of an agreement to halt the development, production and stockpiling of all chemical and bacteriological (biological) agents for purposes of war and to achieve their effective elimination from the arsenal of weapons.

14. The Bulgarian delegation attaches very great importance to the accession of all countries to the Geneva Protocol and to an adequate interpretation of its spirit and meaning as an international instrument prohibiting the use in war of all chemical means without exception and of all bacteriological and biological agents.

15. In this connexion I should like to make some brief and quite preliminary comments suggested to my delegation by the initiative of the United Kingdom delegation concerning biological warfare. The members of the Committee will recall that the United Kingdom delegation's ideas -- now presented in the form of a draft convention (ENDC/255) -- have been widely discussed and that the Bulgarian delegation has clearly expressed its views on that subject (ENDC/PV.390). Therefore I shall refrain from reverting to what has already been said.

(Mr. Christov, Bulgaria)

16. Nevertheless, it seems to us necessary to emphasize the link which exists between chemical and bacteriological weapons and has been established and adopted in theory and practice. That link does not give rise to any doubt for jurists, military men or politicians.

17. In a book published in 1968 1/ the French jurist H. Meyrowitz wrote on this subject as follows:

> "In international law, as well as in the law of war and in the field of disarmament, biological weapons are closely linked to chemical weapons. The same applies in military theory and practice. This is also true of public opinion, in which chemical and biological weapons are united in one and the same image. This link is not based only on general usage or on an automatic association of ideas. It is founded on strong factual reasons deriving from both the technical and military characteristics and the effects of these weapons. It is usual in military literature and practice to include in the definition of biological weapons hormones or other chemical substances employed against vegetation. Toxins secreted by bacteria can be manufactured industrially; their composition can be modified and their pathogenic power increased by genetic and chemical processes. Military circles foresee the combined use of aggressive chemical and biological agents." 2/

18. This is dealt with, for example, in the French military regulation TTA 661, where it is explained that a combination of chemical and biological weapons can be sought

> "... either to increase their effect or merely to make their detection more difficult, since an easily detectable weapon can mask the use of another weapon which is more effective but easy to detect." 2/

19. This relationship between chemical and bacteriological weapons has led certain authors to classify them under a single heading as biochemical weapons.

1/ Henri Meyrowitz: Les armes biologiques et le droit international: droit de la guerre et désarmement. Paris, Editions A. Pedone, 1968, p. 34.

2/ Translation by the Secretariat.

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20. The Working Group on chemical and biological weapons of the Fourteenth Pugwash Conference declared:

> "In world public opinion, as in military practice, it seems impossible to discern any distinction between incapacitating and deadly weapons, or between biological and chemical warfare." 2/

And the author I have already quoted concludes:

> "That is why the monographic study of biological weapons must never lose sight of the association, in fact and in law, of chemical and bacteriological weapons, an association which runs counter to any proposal aimed at a separate regulation of biological weapons." 2/

21. We know well, moreover, that chemical and biological weapons, as a pair, are themselves often lumped together with atomic weapons under the initials ABC, and sometimes called "special weapons". This name expresses the idea that these three types of weapons belong not merely to a new kind but to a kind that differs from conventional weapons -- in other words, the idea of a complete break with conventional weapons.

22. In disarmament circles it has become a tradition to call chemical and bacteriological weapons, in association with atomic weapons, "weapons of mass destruction". We find this term in many resolutions of the General Assembly -- in particular in its resolutions 1884 (XVIII) of 17 October 1963 and 2162 B (XXI) of 5 December 1966, in the Treaty on the Principles Governing the Activities of States in the Exploration and Use of Outer Space (2222 (XXI) Annex), and in the Soviet (ENDC/2/Rev.1) and United States (ENDC/30 and Add.1-3) draft treaties on general and complete disarmament.

23. Consequently the association of bacteriological (biological) weapons and chemical weapons is a fact fully recognized by international law in theory and in practice. It is confirmed by the Secretary-General's report. It is one of the basic elements of the Geneva Protocol.

24. The United Kingdom initiative runs counter to this state of affairs in fact and in law. I wish to assure the United Kingdom delegation that there is no question of impugning its good faith. We greatly appreciate certain passages in the preamble to its draft convention which confirm the Geneva Protocol's merits, the services it has rendered, and the desire to strengthen these. But we are sincerely convinced that to dissociate bacteriological from chemical weapons -- to speak only of this for the present -- would alone be detrimental to the Geneva Protocol and hinder the application of its principles and the pursuit of its objectives.

2/ Translation by the Secretariat.

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25. The argument that the problem of chemical weapons is more difficult to solve and that we must therefore first tackle the means of biological warfare is not likely to convince us. And we have some difficulty in following the United Kingdom representative, Mr. Mulley, when he says that, if an agreement on biological weapons could be concluded this year, it would be possible to present to the General Assembly in 1970 -- that is, next year -- a similar measure covering chemical weapons (ENDC/PV.418, para.29). Perhaps we have failed to grasp the exact meaning of his words; but once it is admitted that the difficulties connected with chemical weapons could be surmounted within a few months, one may well ask why we should not tackle the whole problem now and simultaneously.

26. We cannot conceal our apprehensions about the harm which, for another reason, the dissociation of chemical from biological weapons would do to the Geneva Protocol. Indeed, there is reason to fear that it would have grave repercussions at the international level and on disarmament. At a time when the world needs to assert its will to condemn unanimously and unequivocally, in the spirit of the Geneva Protocol, any preparation for the possible use of chemical and biological weapons, the conclusion of a separate convention covering biological weapons alone would create a kind of dissociation of the attitudes and positions of States in regard to the problem. First of all, there would be States which had acceded to the Geneva Protocol; then there would be States which had acceded to the convention on biological weapons; then there would be States which would accede neither to the Geneva Protocol nor to the convention on biological weapons, and so on.

27. The Geneva Protocol has stood the test of time and everyone is aware of the role it has played and continues to play. My delegation, representing a country that has acceded to the Geneva Protocol, is ready to contribute to every effort designed to reaffirm and strengthen the Geneva Protocol. But we firmly believe that this can be done only by preserving its spirit and letter, and by grafting, so to speak, on to the Protocol's prohibition of the use of all means having a chemical and biological origin the prohibition of production, testing and stockpiling, so as to achieve a total and universal ban extending even to the idea of ever resorting to such weapons of horror.

28. Before I conclude, allow me to make a suggestion in all modesty. Would it not be timely and useful to widen the discussion of the problem of chemical and bacteriological weapons along the lines I have tried to indicate an on a basis of

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concrete proposals? The Bulgarian delegation would be gratified if such a lead were to come either from the co-Chairmen or from one or several delegations, and would support it fully.

29. Mrs. MYRDAL (Sweden): I will today deal with the item on our agenda which bears the title "The prevention of an arms race on the sea-bed". This does not, however, signify that the Swedish delegation wants to assign top priority to this topic, as such priority should continue to be given to real disarmament in the nuclear field.

30. Since I last touched upon this matter of the demilitarization of the sea-bed, in an intervention on 22 April (ENDC/PV.405), some important developments have occurred. The United States delegation on 22 May tabled a draft treaty prohibiting the emplacement of nuclear weapons and other weapons of mass destruction on the sea-bed and ocean floor (ENDC/249). Further, the state of our negotiations on this matter was commented upon in general terms by the co-Chairmen at the opening meeting of this renewed session of our Committee (ENDC/PV.416). The representative of the United States, Ambassador Leonard, on that occasion read out a message to the Committee from the President of the United States in which it was said that

> "Although differences exist, it should not prove beyond our ability to find common ground so that a realistic agreement may be achieved that enhances the security of all countries." (ENDC/253*).

The message went on to express a definite hope that

> "Our goal should be to present a sound sea-bed arms control measure to the 24th General Assembly of the United Nations" (ibid.).

31. The representative of the Soviet Union, Ambassador Roshchin, in his statement on the same occasion referred to the American draft treaty as a partial solution of the problem that he found inadequate

> "... because it cannot ensure a definitive and complete solution of the problem of preventing the arms race spreading to the sea-bed and the ocean floor" (ENDC/PV.416, para. 30).

But he also expressed the hope

> "... that a draft treaty to prevent the use of the sea-bed for military purposes will be elaborated at the present session of the Committee and then submitted to the General Assembly of the United Nations" (ibid., para. 31).

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32. Since I last spoke, other delegations also have offered valuable comments on the matter in the latter part of the Committee's spring session, and we have taken those into consideration. I wish to mention specifically the suggestions made by the representative of Canada, Ambassador Ignatieff, on 13 May as to a concrete list of prohibited activities and installations (ENDC/PV.410), and to the persuasive appeals for an international solution of the control problem made by the representatives of Italy (ibid.) and Brazil (ENDC/PV.413). At this renewed session we have listened to important comments by the delegations of Japan (ENDC/PV.420), the United States (ENDC/PV.421) and the United Arab Republic (ibid., paras. 92 et seq.)

33. Summing up the situation in regard to our negotiating task, we have now on the table two draft treaty texts, presented by the delegations of the Soviet Union (ENDC/240) and the United States (ENDC/249) respectively. They vary considerably in the treatment of all the three main issues: scope of the prohibition, limitation of the area of prohibitions, and control methods. It is on these decisive points that all comments have been focussed.

34. Compromises must urgently be found on these points if the Committee is to fulfil the pledges by the co-Chairmen and present to the General Assembly one single agreed instrument. Even if the task of finding such a common solution may rest primarily on the two delegations which have put forward specific treaty texts, we consider it imperative that all delegations take part and try to make contributions. One reason, of course, is that a final solution, to be generally acceptable, will have to be so construed as to enhance the security of all countries -- to borrow the words employed by the President of the United States.

35. The gaps which we shall then have to narrow may be briefly indicated as follows.

36. First, the scope of prohibitions: according to the Soviet text all direct military uses of the sea-bed and the ocean floor are prohibited (article 1), while the United States draft, as its title indicates, limits the prohibition to the installation of nuclear weapons and other weapons of mass destruction, and of launching platforms for such weapons (article I).

37. Secondly, as far as the size of the area of prohibition is concerned, both drafts provide for an excepted area along the coasts, measured from base lines -- a maritime zone -- which however in the United States draft is suggested as a width of three nautical miles (article II) and in the Soviet draft as twelve miles (article 3).

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38. Thirdly, the control of the fulfilment by the parties of the obligations under the treaty is in the Soviet proposal based on free access by all parties to all installations on the sea-bed beyond the maritime zone (article 2). In the United States text it is suggested that there should be free observation by all parties of all installations, but that further measures of verification, such as access to a suspected installation, could only be carried out after prior consultation between the parties involved (article III).

39. I intend now to deal in some detail with these various aspects of the matter, and to make some concrete suggestions on how the differences could be overcome.

40. Regarding the scope of the prohibition, we agree with the point of view expressed by several delegations that the prohibition against nuclear weapons and other means of mass destruction is -- in the environment of the sea as in all environments -- the most urgent one. Such prohibition should therefore, in our view, be specifically spelt out in any compromise draft treaty text. We feel however -- again sharing this opinion with several other delegations -- that the treaty should not limit its prohibitions to weapons of mass destruction. It should in principle extend to all weapons, and to military bases and fortifications and to other installations and structures of a military nature fixed on or in the sea-bed and the ocean floor, some exceptions being made, however, for devices which are of a purely passive defensive character, such as means of communication, navigation and supervision.

41. From many points of view it would be desirable to make both the prohibitions and the exceptions quite specific. We have studied carefully the suggestions put forward for that purpose by the Canadian delegation on 13 May, containing an enumeration of prohibited installations and activities. We regret to have to state that we have found that road impracticable. The list becomes too detailed and the definitions become too complicated to be workable. It leaves unsettled the important problem that new military developments may occur which might not be covered.

42. The representative of the United States, Ambassador Leonard, in his intervention on 22 July, referred to the possibility of using the review conferences provided for in the United States draft treaty to establish additional substantive prohibitions (ENDC/PV.421, para. 58). We, however, consider it would be more practical to use such an opportunity to establish further exemptions rather than further prohibitions, if a general need for such restrictions of the scope of the demilitarization should be felt at that time.

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43. We consider that it would be difficult to reach agreement on a detailed list; therefore we prefer a more general characterization of the prohibitions in accordance with the formula I have just suggested, stating only the nature of exempted structures and installations as "purely passive defensive" without enumerating them in the treaty text. What, then, the exemplification -- or rather the interpretation -- is when we say "such as means of communication, navigation and supervision" should, however, be made quite explicit and should be agreed by all of us while we are negotiating the provisions. It should thus become clear that with this formula such purely passive defensive structures as sonar devices for tracking submarines would be excluded from the prohibition -- a suggestion in line, as we understand it, with the strongly-held view of several delegations.

44. That is our attempt at a compromise in regard to the scope of the prohibitions.

45. As far as the size of the area of prohibitions is concerned, I wish also to try out some new suggestions, in the hope that they might serve as a basis for a compromise.

46. The United States representative, in putting forward his proposal regarding a very narrow band of three miles as excepted from the prohibitions, argued forcefully that the prohibition should extend to the maximum practical area of the sea-bed and that the delimitation of the prohibited area should be separated from such complex issues as territorial claims and national jurisdiction (ENDC/PV.414, para. 9). We agree with both those criteria. Consequently we appreciate the merits of restricting the width of the excluded band to three miles, the narrowest claim for a territorial sea by any nation. On the other hand we had earlier supported the Soviet proposal of a twelve-mile wide maritime zone; and the representative of Canada has stated many valid reasons for at least that large a zone where the interests of the coastal State should predominate (ENDC/PV.410, paras. 7-9). Recalling that the three-mile limit on the one hand and the twelve-mile limit on the other envisage a very different scope of prohibitions, we wish to suggest a combination of the ideas proffered.

47. First, a three-mile exempted band along the coast could be applied in the case of a prohibition -- to speak with the American draft treaty, article I:

> "... to emplant or emplace fixed nuclear weapons or other weapons of mass destruction or associated fixed launching platforms on, within or beneath the sea-bed and ocean floor ..."

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48. Second, in the compromise solution that we have in mind should be retained the idea from the Soviet draft treaty of a maritime zone of twelve miles, beyond which would start the more comprehensive prohibition against militarization in accordance with the general characterization I utilized a little while ago.

49. Within the whole maritime zone of twelve miles the coastal State should have the exclusive right to military uses of the sea-bed to the extent that they are not prohibited by the treaty, meaning in practice full freedom except for the installation of nuclear weapons or other weapons of mass destruction beyond the three-mile coastal band. Within the whole maritime zone the coastal State should also have exclusive rights and obligations as far as verification of the treaty provisions is concerned.

50. The formula here outlined has been construed as a compromise between the proposals in the two treaty drafts presented by the Soviet Union and the United States. It might also be seen as a compromise between the two most far-reaching suggestions made in our Committee: namely by Japan and Canada respectively (ENDC/PV.420, paras.14, 15; ENDC/PV.418, para.9); that is, between a zero zone as regards nuclear weapons and a 200-mile safety zone for defensive purposes.

51. The Swedish delegation would certainly not object to the Japanese formula per se, if the control problems could be solved and the proposal would meet with general approval. We have, however, rather set out to try to formulate a compromise solution in transactional terms: that is, staying close to what the two draft treaty texts have actually proposed but combining these provisions in what we hope is a constructive way. May I add that Sweden has tested in relation to its own maritime position the proposals put forward, and in all suggestions made or supported has taken into consideration the security interests of a country like ours with narrow seas over a broad continental shelf adjacent to a long coastline. We have, however, examined also the applicability to different geo-political situations.

52. Speaking generally and with the interest of the world community as a whole in mind, our formula with a two-tier zone would seem to present a double advantage. It safeguards the sea-bed and ocean floor from all nuclear weapons and other installations for weapons of mass destruction, except a band of three miles which in all cases belongs to the territorial sea. In this connexion we ought, of course, to remind ourselves of the principal aim to eliminate all nuclear armaments. The formula reserves a somewhat wider area for the exclusive use and control by coastal States, permitting measures

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which may be essential for national defence purposes. It also eliminates the difficulty inherent in the present Soviet draft, according to which the situation became undefined for certain areas in relation to States with less extensive territorial sea than twelve miles: that is, in regard to the zone between the outer limit of their territorial sea and the twelve-mile limit.

53. Coming now to the question of control, one might object that the control procedure is made more complex by the delimitation of two different zones: the three-mile limit for the obligation not to install nuclear weapons further out, and the twelve-mile limit for the exclusive use and control of the coastal State. It has, however, been stated by the United States representative that nuclear installations on the sea-bed will be large affairs. They should be observable with enough accuracy to set in motion the additional control machinery to be provided in the treaty. Here I wish to emphasize that in regard to the twelve-mile maritime zone observation, if carried out in consistence with international law, would not be hampered by the exclusive rights of a coastal State which I have mentioned earlier.

54. Let me now leave the question of observation and turn to the further measures of control -- that is, verification. In the earlier part of today's intervention I tried to pinpoint the differences in approach on this score between the Soviet and the United States draft treaty texts. We for our part wish to retain in principle the idea of free access contained in the Soviet draft, as I stated in my intervention on 22 April (ENDC/PV.405, para.91). In this context I wish to recall in passing that a number of delegations, including my own, have earlier criticized as unsatisfactory that part of the Soviet text which contains the notion of reciprocity in control functions. Further, a strong appeal has been made for including the possibility that the verification process might, when this becomes feasible, be committed by a party to an appropriate international organization.

55. Finally, appeals have been made that a party should also have the possibility to ask for the full or partial assistance of any other party to the treaty for carrying out the verification procedure. The representative of the United States in his recent statement (ENDC/PV.421, paras.48 et seq.) gave his reasons against international arrangements and against commitments for third-party assistance. Like several other delegates -- most recently the representative of the United Arab Republic, Ambassador Khallaf, in his intervention on 22 July (ibid., paras.113 et seq.) -- I wish,

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however, to support these appeals as being important to many countries throughout the world. They are fully in line with the formula of co-operation used in the United States draft, and do not imply any binding obligation on a particular party to give such assistance in a particular case.

56. A further important point in connexion with control is the one I outlined earlier of giving the coastal State in principle the exclusive right but also the obligation to carry out verification in its maritime zone. This provision is not in contradiction to either of the two existing drafts. We only suggest that such a right and obligation for the coastal State should be clearly spelt out. Any desire by another party to proceed with further verification must obviously be channelled through the coastal State and could only be undertaken with its co-operation.

57. If parts of the continental shelf adjacent to a coastal State extend beyond the twelve-mile limit of the maritime zone, some uncertainty undoubtedly remains as to the rights of verification on that outer shelf. The coastal State, according to existing international law, has sole rights of exploration and exploitation. Any installations in this area of the sea-bed must be presumed therefore to belong to the coastal State or to have been installed with its consent. Here the principle of free access meets a real test. In our opinion that principle ought to be upheld; but as a matter of international courtesy it would be normal for consultations to take place with the coastal State concerned. I wish to add that these difficulties should be considerably reduced, and risks of conflicts even more so, if revisions of the international legislation regarding the continental shelf were made so as to establish firm delimitations instead of the present open-ended situation.

58. Where the principle of free access is applicable without any limitation, of course, is in regard to the deep ocean floor proper as well as to sea-beds at any depth which are unconnected with continental shelves of particular coastal States -- for instance so-called sea mountains and ridges. Many parts of the ocean are so shallow as to make the floor accessible already now by conventional capabilities for maritime exploration, which are in the possession of many States. These parts may also be the very ones to tempt nations to establish installations and structures. Exploration activities, which are permitted to all, must be open to the kind of verification envisaged in this treaty. In reality the principle of free access is but a corollary of the commonly-recognized principle of free exploration of the sea-bed invoked in the first preambular

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paragraph of the United States draft. It is also concomitant with the principle of the sea-bed and ocean floor being the common heritage of mankind, to be used in the interests of all and not subjected in any part to the national sovereignty of individual States.

59. This is the grand scheme which we all, as Members of the United Nations, are pursuing in regard to the positive task of utilizing the sea-bed for peaceful purposes. The demilitarization of the sea-bed is but the preliminary step towards avoiding obstacles and impediments to the fully free and common utilization of this, man's last frontier.

60. In conclusion, I wish to summarize as follows the ideas tentatively presented here in order to seek a compromise between the Soviet and the United States drafts on the demilitarization of the sea-bed.

61. We should retain, from the United States draft, the notion of prohibiting all nuclear weapons and installations for weapons of mass destruction beyond a three-mile zone adjacent to the coastlines.

62. A further prohibition in regard to all weapons, and to military bases and fortifications and other installations of a military nature, except some which are of a purely passive, defensive character -- such as means of communication, navigation and supervision -- should be valid beyond a twelve-mile maritime zone along the coastlines, as suggested in the Soviet draft.

63. Within the twelve-mile zone the coastal State should have the exclusive right of use and verification, the right of observation by all already being assured in international law. Beyond this maritime zone any installations on the sea-bed should be open to all parties for verification. A procedure for assistance or for verification by an appropriate international organization should be foreseen.

64. We suggest further that the method for determining baselines outlined in the two drafts be maintained and that the idea of a review conference, as suggested in the United States draft, be incorporated in a final text.

65. In reviewing this whole subject of demilitarization of the sea-bed I wish to stress the importance of taking action urgently. The moment is opportune, while demilitarization is still a "non-armament measure". The effect of the treaty must be preventive. By prohibiting both weapons of mass destruction and conventional

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military installations it should serve not only to prevent such military uses of the sea-bed as are already feasible but also to curb further developments. The treaty is envisaged as being preventive in another sense also. I am thinking of its value in forestalling international conflicts which might arise out of different interpretations as to existing rights and out of national claims on parts of the sea-bed.

66. If the ideas I have put forward today should be considered worth retaining by my colleagues, I am sure that the actual drafting of such a compromise treaty text would not be difficult; it would consist largely of amendments. My delegation would be happy to take part in such an exercise. We have worked out our proposals in the hope that it will be possible to bring forward to the General Assembly this year a final instrument, not only in the names of the co-Chairmen but as a joint recommendation from the whole Committee.

The Conference decided to issue the following communiqué:

"The Conference of the Eighteen-Nation Committee on Disarmament today held its 422nd plenary meeting in the Palais des Nations, Geneva, under the chairmanship of Mr. Antoni Czarkowski, representative of Poland.

"Statements were made by the representatives of Bulgaria and of Sweden.

"The next meeting of the Conference will be held on Tuesday, 29 July 1969, at 10.30 a.m."

The meeting rose at 11.30 a.m.